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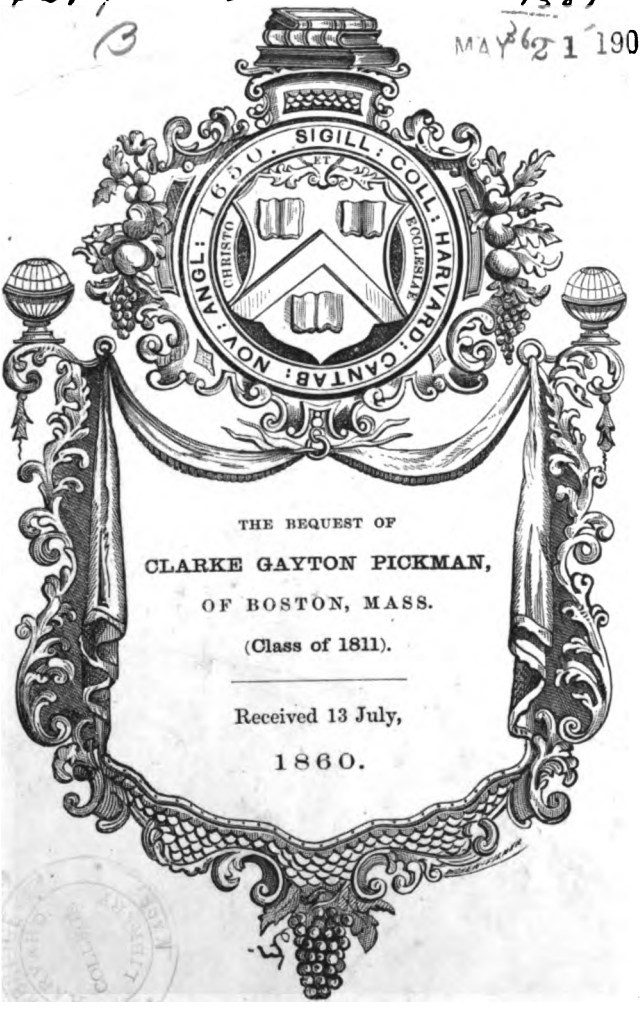

THE BEQUEST OF
CLARKE GAYTON PICKMAN,
OF BOSTON, MASS.
(Class of 1811).

Received 13 July,
1860.

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Oxford English Classics.

DR. JOHNSON'S WORKS.

PARLIAMENTARY DEBATES.

VOL. I.

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PRINTED BY TALBOYS AND WHEELER, OXFORD.

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THE

WORKS

OF

SAMUEL JOHNSON, LL.D.

VOLUME THE TENTH.

LONDON,

PUBLISHED BY W. PICKERING, CHANCERY-LANE; AND
TALBOYS AND WHEELER, OXFORD.

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PREFATORY OBSERVATIONS

TO THE

PARLIAMENTARY DEBATES.

THE government of this country has long and justly been considered the best among the nations of Europe; and the English people have ever evinced a proportionate desire for information in its proceedings. But in the earlier days of our constitution, we shall find that much jealousy on the part of our rulers debarred the people from access to the national deliberations. Queen Elizabeth, with a sagacity that derived no assurance from the precedents of former times, foresaw the mighty power of the press, as an engine applied to state purposes, and accordingly aroused the spirit of her subjects, by causing the first gazettes to be published in the year of the armada[a]: and D'Ewes's journals of her parliaments contain the earliest reports of parliamentary debates.

The first volume of the commons' journals comprises the debates from the accession of James the first, to the cessation of parliaments under Charles the first. The publication, in 1766, of a member's notes, furnished authentic debates of the session in 1621. Rushworth, in his voluminous collections, presents us with many of the debates during the civil wars. Gray's more regular debates succeeded. From these, until the times that followed the

[a] See sir J. Mackintosh's Defence in the Peltier case.

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glorious revolution in 1688, we have no reports of parliamentary proceedings, interesting as they must have been, on which we can place any more reliance, than on those of Dr. Johnson, which, we shall presently see, cannot pretend to the character of faithful reports, however deservedly eminent they are as eloquent and energetic compositions. But the revolution was not immediately followed by a liberal diffusion of parliamentary intelligence, for the newspapers of William's reign only give occasionally a detached speech. That sovereign scarcely allowed liberty of speech to the members of parliament themselves, and was fully as tyrannical in disposition as his predecessor on the throne; but, happily for the English nation, he was tied and bound by the strong fetters of law.

The stormy period that ensued on William's death, is somewhat illustrated by Boyer's POLITICAL STATE. The HISTORICAL REGISTERS which appeared on the accession of George the first, may be considered as more faithful depositories of political information than Boyer's partial publication. The spirited opposition to sir Robert Walpole excited an unprecedented anxiety in the nation to learn the internal proceedings of parliament. This wish on the part of constituents to know and scrutinize the conduct of their representatives, which to us appears so reasonable a claim, was regarded in a different light by our ancestors. But the frown of authority in the reign of George the second began to have less power to alarm a people whose minds were undergoing progressive illumination. A general desire was then loudly expressed for parliamentary information, which Cave sought to gratify by the insertion of the debates in the GENTLEMAN'S MAGAZINE. The jealousy of the houses, however, subjected that indefatigable man to the practices of stratagem for the accom-

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plishment of his design. He held the office of inspector of franks in the postoffice, which brought him into contact with the officers of both houses of parliament, and afforded him frequent and ready access to many of the members. Cave, availing himself of this advantage, frequented the houses when any debate of public interest was expected, and, along with a friend, posted himself in the gallery of the house of commons, and in some retired station in that of the lords, where, unobserved, they took notes of the several speeches. These notes were afterwards arranged and expanded by Guthrie, the historian, then in the employment of Cave, and presented to the public, monthly, in the Gentleman's Magazine. They first appeared in July, 1736[b], and were perused with the greatest eagerness. But it was soon intimated to Cave, that the speaker was offended with this freedom, which he regarded in the light of a breach of privilege, and would subject Cave, unless he desisted, to parliamentary censure, or perhaps punishment. To escape this, and likewise to avoid an abridgment of his magazine, Cave had recourse to the following artifice. He opened his magazine for June, 1738, with an article entitled, "Debates in the senate of Magna Lilliputia;" in which he artfully deplores the prohibition that forbids him to present his readers with the consultations of their own representatives, and expresses a hope that they will accept, as a substitute, those of that country which Gulliver had so lately rendered illustrious, and which untimely death had prevented that enterprising traveller from publishing himself. Under this fiction he continued to publish the debates of the British parliament, hiding the names of persons and places by the transposition of letters, in the way of anagram. These he con-

[b] Gent. Mag. vol. vi.

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trived to explain to his readers, by annexing to his volume for 1738, feigned proposals for printing a work, to be called Anagrammata Rediviva. This list, and others from different years, we give in the present edition, though we have rejected the barbarous jargon from the speeches themselves. A contemporary publication, the LONDON MAGAZINE, feigned to give the debates of the Roman senate, and adapted Roman titles to the several speakers. This expedient, as well as Cave's contrivance, sufficed to protect its ingenious authors from parliamentary resentment; as the resolution of the commons was never enforced.

The debates contained in the following volumes, commence with the 19th November, 1740, and terminate with the 23d February, 1742-3. The animated attempts that were made to remove sir Robert Walpole from administration, seemed, in Cave's opinion, to call for an abler reporter than Guthrie. Johnson was selected for the task; and his execution of it may well justify the admiration which we have so often avowed for those wonderful powers of mind, which, apparently, bade defiance to all impediments of external fortune.

He was only thirty-two years of age, little acquainted with the world; had never, perhaps, been in either house, and certainly had never conversed with the men whose style and sentiments he took upon himself to imitate. But so well and skilfully did he assume, not merely the sedate and stately dignity of the lords, and the undaunted freedom of the commons, but also the tone of the respective parties, that the public imagined they recognised the individual manner of the different speakers. Voltaire, and other foreigners of distinction, compared British with Greek and Roman eloquence; and ludicrous instances are detailed by Johnson's biographers, of praises awarded to Pulteney or to Pitt, in the presence of the unsuspected author of

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the orations which had excited such regard[c]! For Johnson confessed, that he composed many of the speeches entirely from his own imagination, and all of them from very scanty materials.

This confession he undoubtedly made from his love of truth, and not for the gratification of vanity. When he heard that Smollett was preparing his History of England, he warned him against relying on the debates as authentic; and, on his death-bed, he professed that the recollection of having been engaged in an imposture was painful to him. That this was a refined scrupulosity the most rigid moralist must allow; but, nevertheless, it is matter for congratulation, that the liberality of parliament no longer subjects its reporters to the subterfuges which we have thus briefly attempted to describe. And a comparison of this age and its privileges with the restrictions of former times, may not be without its use, if, by reminding us that we were not always free, it teaches us political contentment, suggests to us the policy of moderation, and enables us to love liberty, and yet be wise.

OXFORD, NOVEMBER, 1825.

[c] See Boswell, and sir John Hawkins.

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to explain to his readers, by annexing to his volume 1738, feigned proposals for printing a work, to be called Anagrammata Rediviva. This list, and others from different years, we give in the present edition, though we have rejected the barbarous jargon from the speeches themselves. A contemporary publication, the LONDON MAGAZINE, feigned to give the debates of the Roman senate, and adapted Roman titles to the several speakers. This expedient, as well as Cave's contrivance, sufficed to protect its ingenious authors from parliamentary resentment; as the resolution of the commons was never enforced.

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He was only thirty-two years of age, [illegible] with the world; had never, perhaps, been [illegible] and certainly had never conversed with [illegible] and sentiments he took upon himself [illegible] well and skilfully did he assume, [illegible] stately dignity of the lords, and [illegible] the commons, but [illegible] that the publi[illegible] manner of [illegible] foreign [illegible] Rom[illegible] by [illegible]

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the [illegible]

son [illegible]

tirely from [illegible]

scanty [illegible]

This [illegible]

truth, and [illegible]

heard that [illegible]

he warned him [illegible]

and, on his death [illegible]

having been [illegible]

That this was [illegible]

ist must allow [illegible]

tulation, [illegible]

its reporters to [illegible]

attempted to [illegible]

its privileges with [illegible]

not be without its [illegible]

not always free, [illegible]

gests to us the policy [illegible]

liberty, and yet [illegible]

[illegible]

[illegible]let

[illegible]olmlug

[illegible]rbutt

[illegible]

[illegible]rnwoll

[illegible]mro

[illegible]evs

[illegible]d..Devarlar

Duke of..Dovenshire

[illegible]gy

[illegible]...Dekra

[illegible]...Eral

[illegible]Emdond

[illegible]draw

[illegible]zila

[illegible]..Eserkin

to disguise the real

[illegible]tes.

[illegible]ce..Eunege

[illegible]Lord..Flacnobrug

[illegible]lakland

[illegible]Mr...Fashnaw

[illegible]Fakazerly

[illegible]Mr...Finweck

[illegible]lor

[illegible]Feaux

[illegible]Farncis or Friscan

[illegible]d..Gega

[illegible]Gorgenti

[illegible]Mr...Gibnob

[illegible]er, Duke of..Glustre

[illegible]hin, Lord..Golphindo

[illegible]Gero

[illegible]r, Lord..Gewor

[illegible]aville, Mr...Grevillen

[illegible]bon, Mr...Gybnob

[illegible]lifax, Lord..Haxilaf

[illegible]addock, Admiral..Hockadd

Handasyd, Mr...Hasandyd

Harding, Mr...Hadringe

Hardwick, Lord..Hickrad

Harrington..Hargrinton

Hay, Mr...Heagh

Heathcote..Whethtoc

Henry..Hynrec

Herbert..Hertreb

Hervey, Lord..Heryef

Hessian..Hyessean

Hind Cotton..Whind Cotnot

Hindford..Honfryd

Hinton..Hwenton

Hobart..Hobrat

Holdernesse, Lord..Hodrelness

Hooper..Horeop

Hosier, Admiral..Hozeri

Howe..Hewo

Islay, Lord..Yasli

Isham..Ishma

Ilchester..Itchletser

James..Jacomo

Jekyl..Jelyco

Jenkins..Jenkino

John..Juan

Joseph..Josippo

Keene, Mr...Knee

Ledbury, Mr...Lebdury

Lindsay..Lisnayd

Litchfield..Liftchield

Lockwood..Lodowock

Lombe..Lebom

Lonsdale, Lord..Lodsneal

Lovel..Levol

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The List of fictitious Terms used by Cave to disguise the real Names that occur in his Debates.

Abingdon, Ld...Adonbing or Plefdrahn
Ambrose, Captain..Ambreso
Archer..Arech
Argyle, Duke of..Agryl
Arthur..Aruth
Anne..Nuna
Aston..Anots
Aylesford, Lord..Alysfrop
Baltimore, Lord..Blatirome
Barnard, Sir John..Branard
Barrington..Birrongtan
Bath, Earl of..Baht
Bathurst, Lord..Brustath
Bedford, Duke of..Befdort
Berkeley, Lord..Berelky
Bishop..Flamen
Bladen, Mr...Bledna
Bootle, Mr...Butul
Bowles, Mr...Bewles
Bristol, Lord..Broslit
Bromley, Mr...Bormlye
Brown, Mr...Brewon or Buron
Burleigh..Bruleigh
Burrell, Mr...Berrull
Campbell..Campobell
Carew, Mr...Cawer
Carlisle, Earl of..Carsilel
Carteret, Lord..Quadrert
Castres, Mons...Cahstrehs
Cavendish..Candevish
Charles..Chorlo
Chesterfield, Earl of..Castroflet
Cholmondeley, Earl of..Sholmlug
Churchill..Chillchurch
Clutterbuck, Mr...Cluckerbutt
Cocks..Cosck
Coke, Mr...Quoke
Cooke..Coeko
Cooper, Mr...Quepur
Corbet, Mr...Croteb
Cornwall, Mr...Carnwoll
Cromwell..Clewmro
Danes..Danians
Danvers..Dranevs
Delawarr, Lord..Devarlar
Devonshire, Duke of..Dovenshire
Digby..Dibgy
Drake, Mr...Dekra
Earle, Mr...Eral
Edmund..Emdond
Edward..Eddraw
Elizabeth..Ezila
Erskine, Mr...Eserkin
Eugene, Prince..Eunege
Falconberg, Lord..Flaenobrug
Falkland..Flakland
Fanshaw, Mr...Fashnaw
Fazakerly..Fakazerly
Fenwick, Mr...Finweck
Ferrol..Ferlor
Fox, Mr...Feaux
Francis..Farncis or Friacan
Gage, Lord..Gega
George..Gorgenti
Gibbon, Mr...Gibnob
Gloucester, Duke of..Glustre
Godolphin, Lord..Gelphindo
Gore..Gero
Gower, Lord..Gewor
Grenville, Mr...Grevillen
Gybbon, Mr...Gybnob
Halifax, Lord..Haxilaf
Haddock, Admiral..Hookadd
Handasyd, Mr...Hasandyd
Harding, Mr...Hadringe
Hardwick, Lord..Hickrad
Harrington..Hargrinton
Hay, Mr...Heagh
Heathcote..Whethtoc
Henry..Hynrec
Herbert..Hertreb
Hervey, Lord..Heryef
Hessian..Hyessean
Hind Cotton..Whind Cotnot
Hindford..Honfryd
Hinton..Hwenton
Hobart..Hobrat
Holdernesse, Lord..Hodrelness
Hooper..Horeop
Hosier, Admiral..Hozeri
Howe..Hewo
Islay, Lord..Yasli
Isham..Ishma
Ilchester..Itchletser
James..Jacomo
Jekyl..Jelyco
Jenkins..Jenkino
John..Juan
Joseph..Josippo
Keene, Mr...Knee
Ledbury, Mr...Lebdury
Lindsay..Lisnayd
Litchfield..Liftchield
Lockwood..Lodowock
Lombe..Lebom
Lonsdale, Lord..Lodsneal
Lovel..Levol

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Lymerick, Lord..Lyromick
Lyttleton..Lettyltno
Marlborough, Duke of..Maurolburgh
Malton, Lord..Matlon
Manley..Manly
Mary..Marya
Montrose, Duke of..Morontosse
Mordaunt..Madrount
Morton..Motron
Newcastle, Duke of..Nardac secretary
Noel..Neol
Norris, Admiral..Nisror
Nugent..Netgun
Ogle, Admiral..Oleg
Onslow..Olswon
Orange..Organe
Ord, Mr...Whord
Orford, Earl of..Orfrod
Orleans..Olreans
Ormond, Duke of..Omrond
Oxford, Earl of..Odfrox
Oxenden..Odnexen
Paxton..Pantox
Pelham, Mr...Plemahm
Perry..Peerur
Peterborough..Petraborauch
Pitt, Mr...Ptit
Plumer, Mr...Plurom
Polwarth..Polgarth
Portland, Duke of..Poldrand
Powlett..Powltet or Pletow
Pretender..Rednetrep
Puffendorf..Pudenfforf
Pulteney..Pulnub
Quarendon..Quenardon
Rainsford..Rainsfrod
Ramelies..Ramles
Raymond..Ramonyd
Robert..Retrob
Rochester..Roffen
Saint Aubyn..St. Aybun
Salisbury..Sumra
Samuel..Salvem
Sandwich, Earl of..Swandich
Sandys, Mr...Snadsy
Scarborough, Lord..Sarkbrugh
Scroop, Mr...Screop
Sidney, Lord..Sedyin
Selwin, Mr...Slenwy
Shaftsbury, Lord..Shyftasbrug
Shippen, Mr...Skeiphen
Sloper..Slerop
Somers..Sosrem
Somerset..Sosermet
Southwell..Suthewoll
Strafford..Stordraff
Stair..Stari
Stanislaus..Stasinlaus
Sundon..Snodun
Talbot..Toblat
Thomas..Tsahom
Thomson, Mr...Thosmon
Tracey..Tryace
Trenchard..Trachnerd
Trevor, Mr...Tervor
Turner..Truron
Tweedale, Marquis of..Tewelade
Tyrconnel, Lord..Trinocleng
Vernon, Admiral..Venron
Vyner, Mr...Vynre or Venry
Wade..Weda
Wager, Admiral..Werga
Wakefield..Wafekeild
Waller, Mr...Welral
Walpole, Sir Robert..Walelop
Walpole, Mr...Walelop
Walter, Mr...Gusbret
Watkins, Mr...Waknits
Wendover..Wednevro
Westmoreland..Westromland
William..Wimgul
Willimot, Mr...Guillitom
Winchelsea, Lord..Wichensale
Winnington, Mr...Wintinnong
Wortley, Mr...Wolresyt or Werotyl
Wyndham..Gumdahm
Wynn..Ooyn
Yonge..Yegon

The List of fictitious Characters used by Cave to disguise the Places that occur in his Debates.

Almanza..Almanaz
America..Columbia
Amsterdam..Amstredam
Aschaffenburg..Aschafnefburg
Austria..Aurista
Barbadoes..Bardosba
Barcelona..Bracolena
Brittany..Brateney
Bavaria..Baravia
Blenheim..Blehneim or Blenhem
Bourbon..Buorbon
Brandenburg..Brangburden
Bristol..Broslit
Britain..Lilliput
Cadiz..Cazid
Cambridge..Guntar
Campechy..Capemchy
Carolina..Carolana

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Carthagena..Carthanega
Cologne..Colgone
Commons..Clinabs
Connecticut..Contecticnu
Cressy..Cerlsy
Cuba..Cabu
Denmark..Dancram
Dettingen..Detteneg
Dunkirk..Donkirk
Dutch..Belgians
Edinburgh..Edina
Europe..Degulia
Flanders..Flandria
France..Blefuscu
Georgia..Gorgentia
Germany..Allemanu
Gibraltar..Grablitra
Guastalla..Gua Stalla
Guernsey..Guensrey
Hanover..Hanevro
Haversham..Havremarsh
Hesse Cassel..Hyesse Clessa
Hispaniola..Iberionola
Holland..Belgia
Hungary..Hungruland
India..Idnia
Ireland..Ierne
Italy..Itlascu
Jamaica..Zamengol
Jucatan..Jutacan
Leghorn..Lehgron
London..Mildendo
Madrid..Mardit
Malplaquet..Malpalquet
Mardyke..Mardryke
Martinico..Marnitico
Mediterranean..Middle Sea
Minorca..Minocra
Munster..Munstru
Muscovy..Mausqueeta
New York..Noveborac
Orkney..Orkyen
Orleans..Olreans
Ostend..Odsten
Parma..Par Ma
Pennsylvania..Penuvasilia
Poland..Poldrand
Portugal..Lusitania
Port Mahon..Port Mohan
Prussia..Parushy
Prague..Praga
Sardinia..Sadrinia
Schellembourg..Schemelbourg
Seville..Sebfule
Sicily..Cilisy
South Sea..Pacific Ocean
Spain..Iberia
Straits..Narrow Seas
Sweden..Swecte
Turkey..Korambec
Utrecht..Ultralt
Vienna..Vinena
Virginia..Vegrinia
Westminster..Belfaborac
Wolfenbuttle..Wobentuffle

The List of fictitious Characters used by Cave to disguise the Names of Things that occur in his Debates.

Admiral..Galbet
Baronet..Hurgolen
Commons..Clinabs
Duke..Nardac
Earl..Cosern
Esquire..Urg
Gentleman..Urgolen
High Heels or Tory..Tramecsan
Knight..Hurgolet
Legal..Snilpal
Lord..Hurgo
Penny..a Grull
Popery..Missalsm
Prophet..Lustrug
Sprug..a Pound
Squire..Urg
Viscount..Comvic
Years..Moons

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DEBATES

IN

PARLIAMENT.

HOUSE OF COMMONS, NOVEMBER 19, 1740.

PROCEEDINGS AND DEBATE, WITH REGARD TO THE BILL FOR PROHIBITING THE EXPORTATION OF CORN, ETC.

ON the first day of the session, his majesty, in his speech from the throne, recommended to parliament to consider of some good law to prevent the growing mischief of the exportation of corn to foreign countries.

On the fourth day, a bill for preventing, for a limited time, the exportation, etc. was read a first time in the house of commons, and the question put, whether it should be printed, which passed in the negative.

This day the agent for the colonies of Pennsylvania and New Jersey, presented a petition against the said corn bill, which was referred to the committee.

Another petition was also presented by the agent for the colony of Connecticut, in New England, setting forth that the chief trade of that colony arose from supplying other British colonies with corn, so that unless that colony be excepted from the restraints intended by this bill, both that and those which are supplied by it will be reduced to great distress, and praying, therefore, that such exception may be allowed.

The allegations in this petition were confirmed by another, from one of the provinces supplied by the colony of Connecticut.

Another petition was presented by the agent for South Carolina, setting forth, that unless the rice produced in that

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province were allowed to be exported, the colony must be ruined by the irretrievable loss of their whole trade, as the countries now supplied from thence might easily procure rice from the French settlements, already too much their rivals in trade.

This petition was supported by another, offered at the same time by the merchants of Bristol.

A petition was likewise presented by the agent for the sugar islands, in which it was alleged, that if no provisions be imported thither from Britain, they must, in one month, suffer the extremities of famine.

All these petitions were referred to the committee for the bill.

A printed paper was also delivered to the members, entitled, 'considerations on the embargo,' which enumerated many dangerous consequences likely to be produced by an embargo on provisions, and suggested that it was no better than a wicked scheme for private profit, with other reflections, for which the paper was deemed a libel, and the author committed to prison.

The bill being read in the committee, produced the following memorable debate.

Mr. PULTNEY spoke to this effect:—Sir, after all the attention which has been bestowed upon the bill now before us, I cannot yet conceive it such as can benefit the nation, or such as will not produce far greater inconveniencies than those which it is intended to obviate, and therefore, as those inconveniencies may be prevented by other means, I cannot but declare that I am far from approving it.

Our ancestors, sir, have always thought it the great business of this house to watch against the encroachments of the prerogative, and to prevent an increase of the power of the minister; and the commons have always been considered as more faithful to their trust, and more properly the representatives of the people, in proportion as they have considered this great end with more attention, and prosecuted it with more invariable resolution. If we inquire into the different degrees of reputation, which the several assem-

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blies of commons have obtained, and consider why some are remembered with reverence and gratitude, and others never mentioned but with detestation and contempt, we shall always find that their conduct, with regard to this single point, has produced their renown or their infamy. Those are always, by the general suffrage of mankind, applauded as the patterns of their country, who have struggled with the influence of the crown, and those condemned as traitors, who have either promoted it by unreasonable grants, or seen it increase by slow degrees, without resistance.

It has not, indeed, sir, been always the practice of ministers to make open demands of larger powers, and avow, without disguise, their designs of extending their authority; such proposals would, in former times, have produced no consequences but that of awakening the vigilance of the senate, of raising suspicions against all their proceedings, and of embarrassing the crown with petitions, addresses, and impeachments.

They were under a necessity, in those times, of promoting their schemes; those schemes which scarcely any ministry has forborne to adopt, by more secret and artful and silent methods, by methods of diverting the attention of the publick to other objects, and of making invisible approaches to the point in view, while they seemed to direct all their endeavours to different purposes.

But such, sir, have been the proofs of implicit confidence, which the administration has received from this assembly, that it is now common to demand unlimited powers, and to expect confidence without restriction, to require an immediate possession of our estates by a vote of credit, or the sole direction of our trade by an act for prohibiting, during their pleasure, the exportation of the produce of our lands.

Upon what instances of uncommon merit, of regard to the publick prosperity, unknown in former times, or of discernment superior to that of their most celebrated predecessors, the present ministers found their new claims to submission and to trust, I am, indeed, at a loss to discover;

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for, however mankind may have determined concerning the integrity of those by whom the late memorable convention was transacted, defended, and confirmed, I know not that their wisdom has yet appeared by any incontestable or manifest evidence, which may set their abilities above question, and fix their reputation for policy out of the reach of censure and inquiries.

The only act, sir, by which it can be discovered that they have any degree of penetration proportionate to their employments, is the embargo lately laid upon provisions in Ireland, by which our enemies have been timely hindered from furnishing themselves, from our dominions, with necessaries for their armies and their navies, and our fellow-subjects have been restrained from exposing themselves to the miseries of famine, by yielding to the temptation of present profit; a temptation generally so powerful as to prevail over any distant interest.

But as nothing is more contrary to my natural disposition, or more unworthy of a member of this house, than flattery, I cannot affirm that I ascribe this useful expedient wholly to the sagacity or the caution of the ministry, nor can I attribute all the happy effects produced by it to their benign solicitude for the publick welfare.

I am inclined to believe that this step was advised by those who were prompted to consider its importance by motives more prevalent than that of publick spirit, and that the desire of profit which has so often dictated pernicious measures, has, for once, produced, in return, an expedient just and beneficial; and it has, for once, luckily fallen out, that some of the friends of the administration have discovered that the publick interest was combined with their own.

It is highly probable, sir, that the contractors for supplying the navy with provisions, considering, with that acuteness which a quick sense of loss and gain always produces, how much the price of victuals would be raised by exportation, and, by consequence, how much of the advantage of their contracts would be diminished, suggested to the ministry the necessity of an embargo, and laid before them

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those arguments which their own observation and wisdom would never have discovered.

Thus, sir, the ministers, in that instance of their conduct, on which their political reputation must be founded, can claim, perhaps, no higher merit, than that of attending to superiour knowledge, of complying with good advice when it was offered, and of not resisting demonstration when it was laid before them.

But as I would never ascribe to one man the merit of another, I should be equally unwilling to detract from due commendations, and shall therefore freely admit, that not to reject good counsel, is a degree of wisdom, at which I could not expect that they by whom the convention was concluded would ever have arrived.

But whatever proficiency they may have made in the art of government since that celebrated period, however they may have increased their maxims of domestick policy, or improved their knowledge of foreign affairs, I cannot but confess myself still inclined to some degree of suspicion, nor can prevail upon myself to shut my eyes, and deliver up the publick and myself implicitly to their direction.

Their sagacity, sir, may, perhaps, of late, have received some improvements from longer experience, and with regard to their integrity, I believe, at least, that it is not much diminished; and yet I cannot forbear asserting the right of judging for myself, and of determining according to the evidence that shall be brought before me.

I have, hitherto, entertained an opinion that for this purpose only we are deputed by our constituents, who, if they had reposed no confidence in our care or abilities, would have given up, long since, the vexatious right of contesting for the choice of representatives. They would have furnished the ministry with general powers to act for them, and sat at ease with no other regard to publick measures, than might incite them to animate, with their applauses, the laudable endeavours of their profound, their diligent, and their magnanimous governours.

As I do not, therefore, check any suspicions in my own mind, I shall not easily be restrained from uttering them,

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because I know not how I shall benefit my country, or assist her counsels by silent meditations. I cannot, sir, but observe that the powers conferred by this bill upon the administration are larger than the nation can safely repose in any body of men, and with which no man who considers to what purposes they may be employed will think it convenient to invest the negotiators of the convention.

Nor do my objections to this act, arise wholly from my apprehensions of their conduct, who are intrusted with the execution of it, but from my reflections on the nature of trade, and the conduct of those nations who are most celebrated for commercial wisdom.

It is well known, sir, how difficult it is to turn trade back into its ancient channel, when it has by any means been diverted from it, and how often a profitable traffick has been lost for ever, by a short interruption, or temporary prohibition. The resentment of disappointed expectations inclines the buyer to seek another market, and the civility to which his new correspondents are incited by their own interest, detains him, till those by whom he was formerly supplied, having no longer any vent for their products or their wares, employ their labours on other manufactures, or cultivate their lands for other purposes.

Thus, sir, if those nations who have hitherto been supplied with corn from Britain, should find a method of purchasing it from Denmark, or any other of the northern regions, we may hereafter see our grain rotting in our storehouses, and be burdened with provisions which we can neither consume ourselves, nor sell to our neighbours.

The Hollanders, whose knowledge of the importance or skill in the arts of commerce will not be questioned, are so careful to preserve the inlets of gain from obstruction, that they make no scruple of supplying their enemies with their commodities, and have been known to sell at night those bullets which were next day to be discharged against them.

Whether their example, sir, deserves our imitation I am not able to determine, but it ought at least to be considered, whether their conduct was rational or not, and

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whether they did not, by a present evil, ensure an advantage which overbalanced it.

There are, doubtless, sir, sometimes such exigencies as require to be complied with at the hazard of future profit, but I am not certain that the scarcity which is feared or felt at present, is to be numbered amongst them; but, however formidable it may be thought, there is surely no need of a new law to provide against it: for it is one of those extraordinary incidents, on which the king has the right of exerting extraordinary powers. On occasions like this the prerogative has heretofore operated very effectually, and I know not that the law has ever restrained it.

It is, therefore, sir, in my opinion, most prudent to determine nothing in so dubious a question, and rather to act as the immediate occasion shall require, than prosecute any certain method of proceeding, or establish any precedent by an act of the senate.

To restrain that commerce by which the necessaries of life are distributed is a very bold experiment, and such as once produced an insurrection in the empire of the Turks, that terminated in the deposition of one of their monarchs.

I therefore willingly confess, sir, that I know not how to conclude: I am unwilling to deprive the nation of bread, or to supply our enemies with strength to be exerted against ourselves; but I am, on the other hand, afraid to restrain commerce, and to trust the authors of the convention.

Mr. PELHAM spoke next, to the following purport:—Sir, I am always in expectation of improvement and instruction when that gentleman engages in any discussion of national questions, on which he is equally qualified to judge by his great abilities and long experience, by that popularity which enables him to sound the sentiments of men of different interests, and that intelligence which extends his views to distant parts of the world; but, on this occasion, I have found my expectations frustrated, for he has inquired without making any discovery, and harangued without illustrating the question before us.

He has satisfied himself, sir, with declaring his suspi-

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cions, without condescending to tell us what designs or what dangers he apprehends. To fear, without being able to show the object of our terrours, is the last, the most despicable degree of cowardice; and to suspect, without knowing the foundation of our own suspicions, is surely a proof of a state of mind, which would not be applauded on common occasions, and such as no man but a patriot would venture to confess.

He has, indeed, sir, uttered some very ingenious conceits upon the late convention, has alluded to it with great luxuriancy of fancy, and elegance of diction, and must, at least, confess that whatever may be its effects upon the interest of the nation, it has to him been very beneficial, as it has supplied him with a subject of raillery when other topics began to fail him, and given opportunity for the exercise of that wit which began to languish, for want of employment.

What connexion his wonderful sagacity has discovered between the convention and the corn bill, I cannot yet fully comprehend, but have too high an opinion of his abilities to imagine that so many insinuations are wholly without any reason to support them. I doubt not, therefore, sir, but that when some fitter opportunity shall present itself he will clear their resemblance, and branch out the parallel between them into a thousand particulars.

In the mean time, sir, it may be proper for the house to expedite the bill, against which no argument has yet been produced, and which is of too much importance to be delayed by raillery or invectives.

Mr. SANDYS spoke next, in substance as follows:—Sir, the bill before us, as it is of too great importance to be negligently delayed, is likewise too dangerous to be precipitately hurried into a law.

It has been always the practice of this house to consider money bills with particular attention, because money is power in almost the highest degree, and ought not, therefore, to be given but upon strong assurances that it will be employed for the purposes for which it is demanded, and that those purposes are in themselves just.

But if we consider, sir, the bill now before us, it will

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appear yet more than a money bill, it will be found a bill for regulating the disposal of that, which it is the great use of money to procure, and is, therefore, not to be passed into a law without a close attention to every circumstance that may be combined with it, and an accurate examination of all the consequences that may be produced by it.

Some of these circumstances or consequences, it is the duty of every member to lay before the house, and I shall, therefore, propose that the inducements to the discovery of any provisions illegally exported, and the manner of levying the forfeiture, may be particularly discussed; for by a defect in this part, the regulation lately established by the regency, however seasonable, produced tumults and distractions, which every good government ought studiously to obviate.

By their proclamation, sir, half the corn that should be found designed for exportation was to be given to those who should discover and seize it. The populace, alarmed at once with the danger of a famine, and animated by a proclamation that put into their own hands the means of preventing it, and the punishment of those from whose avarice they apprehended it, rose in throngs to execute so grateful a law. Every man, sir, whose distress had exasperated him, was incited to gratify his resentment; every man, whose idleness prompted him to maintain his family by methods more easy than that of daily labour, was delighted with the prospect of growing rich on a sudden by a lucky seizure. All the seditious and the profligate combined together in the welcome employment of violence and rapine, and when they had once raised their expectations, there was no small danger lest their impatience of disappointment should determine them to conclude, that corn, wherever found, was designed for exportation, and to seize it as a lawful prize.

Thus, sir, by an imprudent regulation, was every man's property brought into hazard, and his person exposed to the insults of a hungry, a rapacious, and ungovernable rabble, let loose by a publick proclamation, and encouraged to search houses and carriages by an imaginary law.

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That we may not give occasion to violence and injustice of the same kind, let us carefully consider the measures which are proposed, before we determine upon their propriety, and pass no bill on this important occasion without such deliberation as may leave us nothing to change or to repent.

Mr. EARLE spoke next to this effect:—Sir, notwithstanding the dangers which have been represented as likely to arise from any errour in the prosecution of this great affair, I cannot but declare my opinion, that no delay ought to be admitted, and that not even the specious pretence of more exact inquiries, and minute considerations, ought to retard our proceedings for a day.

My imagination, sir, is, perhaps, not so fruitful as that of some other members of this house, and, therefore, they may discover many inconveniencies which I am not able to conceive. But, as every man ought to act from his own conviction, it is my duty to urge the necessity of passing this bill, till it can be proved to me, that it will produce calamities equally to be dreaded with the consequences of protracting our debates upon it, equal to the miseries of a famine, or the danger of enabling our enemies to store their magazines, to equip their fleets, and victual their garrisons.

If it could be imagined, that there was in this assembly a subject of France or Spain, zealous for the service of his prince, and the prosperity of his country, I should expect that he would summon all his faculties to retard the progress of this bill, that he would employ all his sophistry to show its inconveniency and imperfections, and exhaust his invention to suggest the dangers of haste; and certainly he could do nothing that would more effectually promote the interest of his countrymen, or tend more to enfeeble and depress the power of the British nation.

If this would naturally be the conduct of an enemy, it is unnecessary to prove that we can only be safe by acting in opposition to it, and I think it superfluous to vindicate my ardour for promoting this bill, when it is evident that its delay would be pleasing to the Spaniards.

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Mr. BURREL then spoke as follows:—Sir, if this law be necessary at any time, it cannot now be delayed, for a few days spent in deliberation, may make it ineffectual, and that evil may be past of which we sit here contriving the prevention.

That many contracts, sir, for the exportation of provisions are already made in all the maritime parts of the empire, is generally known; and it requires no great sagacity to discover that those by whom they are made, and made with a view of immense profit, are desirous that they may be executed; and that they will soon complete the execution of them, when they are alarmed with the apprehension of a bill, which, in a few days, may take from them the power of exporting what they have already collected, and snatch their gain from them when it is almost in their hands.

A bill for these purposes, sir, ought to fall upon the contractors like a sudden blow, of which they have no warning or dread; against which they, therefore, cannot provide any security, and which they can neither elude nor resist.

If we allow them a short time, our expedients will be of little benefit to the nation, which is every day impoverished by the exportation of the necessaries of life, in such quantities, that in a few weeks the law, if it be passed, may be without penalties, for there will be no possibility of disobeying it.

Sir JOHN BARNARD spoke next, to the following purpose:—Sir, I cannot discover the necessity of pressing the bill with such precipitation, as must necessarily exclude many useful considerations, and may produce errours extremely dangerous; for I am not able to conceive what inconveniencies can arise from a short delay.

The exportation of provisions from Ireland is at present stopped by the proclamation; and the beef which was designed for other nations, has been prudently bought up by the contractors, by which those murmurs have been in a great measure obviated which naturally arise from disappointments and losses.

There is, therefore, sir, no danger of exportations from

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that part of our dominions, which is the chief market for provisions, and from whence our enemies have been generally supplied: in Britain there is less danger of any such pernicious traffick, both because the scarcity here has raised all provisions to a high price, and because merchants do not immediately come to a new market.

The bill, at least, ought not to be passed without regard to the general welfare of our fellow-subjects, nor without an attentive consideration of those petitions which have been presented to us; petitions not produced by panic apprehensions of imaginary dangers, or distant prospects of inconveniencies barely possible, but by the certain foresight of immediate calamities, the total destruction of trade, and the sudden desolation of flourishing provinces.

By prohibiting the exportation of rice, we shall, sir, in one year, reduce the colony of South Carolina below the possibility of subsisting; the chief product of that country, the product which induced us originally to plant it, and with which all its trade is carried on, is rice. With rice the inhabitants of that province purchase all the other necessaries of life, and among them the manufactures of our own country. This rice is carried by our merchants to other parts of Europe, and sold again for large profit.

That this trade is very important appears from the number of ships which it employs, and which, without lading, must rot in the harbours, if rice be not excepted from the general prohibition. Without this exception, sir, it is not easy to say what numbers, whose stations appear very different, and whose employments have no visible relation to each other, will be at once involved in calamity, reduced to sudden distress, and obliged to seek new methods of supporting their families. The sailor, the merchant, the shipwright, the manufacturer, with all the subordinations of employment that depend upon them, all that supply them with materials, or receive advantage from their labours, almost all the subjects of the British crown, must suffer, at least, in some degree, by the ruin of Carolina.

Nor ought the danger of the sugar islands, and other provinces, less to alarm our apprehensions, excite our

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compassion, or employ our consideration, since nothing is more evident than that by passing this bill without the exceptions which their petitions propose, we shall reduce one part of our colonies to the want of bread, and confine the other to live on nothing else; for they subsist by the exchange of those products to which the soil of each country is peculiarly adapted: one province affords no corn, and the other supplies its inhabitants with corn only.

The necessity of expediting this bill, however it has been exaggerated, is not so urgent but that we may be allowed time sufficient to consider for what purpose it is to be passed, and to recollect that nothing is designed by it, but to hinder our enemies from being supplied from the British dominions with provisions, by which they might be enabled more powerfully to carry on the war against us.

To this design no objection has been made, but it is well known, that a good end may be defeated by an absurd choice of means, and I am not able to discover how we shall increase our own strength, or diminish that of our enemies, by compelling one part of our fellow-subjects to starve the other.

It is necessary, sir, to prohibit the exportation of corn to the ports of our enemies, and of those nations by which our enemies will be supplied, but surely it is of no use to exclude any part of our own dominions from the privilege of being supplied from another. Nor can any argument be alleged in defence of such a law, that will not prove with equal force, that corn ought to remain in the same granaries where it is now laid, that all the markets in this kingdom should be suspended, and that no man should be allowed to sell bread to another.

There is, indeed, sir, a possibility that the liberty for which I contend, may be used to wicked purposes, and that some men may be incited by poverty or avarice to carry the enemy those provisions, which they pretend to export to British provinces. But if we are to refuse every power that may be employed to bad purposes, we must lay all mankind in dungeons, and divest human nature of all its rights; for every man that has the power of action, may sometimes act ill.

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It is, however, prudent to obstruct criminal attempts even when we cannot hope entirely to defeat them, and, therefore, I am of opinion, that no provisions ought to be exported without some method of security, by which the governours of every place may be assured that they will be conveyed to our own colonies. Such securities will easily be contrived, and may be regulated in a manner that they shall not be defeated without such hazard, as the profit that can be expected from illegal commerce, will not be able to compensate.

It is, therefore, sir, proper to delay the bill so long, at least, as that we may produce by it the ends intended, and distress our enemies more than ourselves; that we may secure plenty at home, without the destruction of our distant colonies, and without obliging part of our fellow-subjects to desert to the Spaniards for want of bread.

Mr. BOWLES spoke in this manner:—Sir, the necessity of excepting rice from the general prohibition, is not only sufficiently evinced by the agent of South Carolina, but confirmed beyond controversy or doubt, by the petition of the merchants of Bristol, of which the justice and reasonableness appears at the first view, to every man acquainted with the nature of commerce.

How much the province of South Carolina will be distressed by this prohibition, how suddenly the whole trade of that country will be at a stand, and how immediately the want of many of the necessaries of life will be felt over a very considerable part of the British dominions, has already, sir, been very pathetically represented, and very clearly explained; nor does there need any other argument to persuade us to allow the exportation of rice.

But, from the petition of the merchants of Bristol, it appears that there are other reasons of equal force for this indulgence, and that our regard for the inhabitants of that particular province, however necessary and just, is not the only motive for complying with their request.

It is shown, sir, in this petition, that the prohibition of rice will very little incommode our enemies, or retard their preparations; for they are not accustomed to be supplied with it from our plantations. We ought, therefore, not to

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load our fellow-subjects with embarrassments and inconveniencies, which will not in any degree extend to our enemies.

It appears, sir, not only that a very important part of our commerce will be obstructed, but that it will, probably, be lost beyond recovery; for, as only a small quantity of the rice of Carolina is consumed at home, and the rest is carried to other countries, it is easy to conceive that those who shall be disappointed by our merchants will procure so necessary a commodity from other places, as there are many from which it may be easily purchased; and it is well known that trade, if it be once diverted, is not to be recalled, and, therefore, that trade which may be without difficulty transferred, ought never to be interrupted without the most urgent necessity.

To prove, sir, that there is now no such necessity, by a long train of arguments, would be superfluous, for it has been shown already, that our enemies will not suffer by the prohibition, and the miseries that inevitably arise from a state of war, are too numerous and oppressive, to admit of any increase or aggravation upon trivial motives.

The province of Carolina, sir, has already suffered the inconveniencies of this war beyond any other part of his majesty's dominions, as it is situate upon the borders of the Spanish dominions, and as it is weak by the paucity of the inhabitants in proportion to its extent; let us, therefore, pay a particular regard to this petition, lest we aggravate the terrour which the neighbourhood of a powerful enemy naturally produces, by the severer miseries of poverty and famine.

Sir ROBERT WALPOLE spoke next, in substance as follows:—Sir, nothing is more absurd than for those who declare, on all occasions, with great solemnity, their sincere zeal for the service of the publick, to protract the debates of this house by personal invectives, and delay the prosecution of the business of the nation, by trivial objections, repeated after confutation, and, perhaps, after conviction of their invalidity.

I need not observe how much time would be spared,

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and how much the despatch of affairs would be facilitated by the suppression of this practice, a practice by which truth is levelled with falsehood, and knowledge with ignorance; since, if scurrility and merriment are to determine us, it is not necessary either to be honest or wise to obtain the superiority in any debate, it will only be necessary to rail and to laugh, which one man may generally perform with as much success as another.

The embargo in Ireland was an expedient so necessary and timely, that the reputation of it is thought too great to be allowed to the administration, of whom it has been for many years the hard fate, to hear their actions censured only because they were not the actions of others, and to be represented as traitors to their country for doing always what they thought best themselves, and perhaps sometimes what was in reality approved by those who opposed them.

This, sir, they have borne without much uneasiness, and have contented themselves with the consciousness of doing right, in expectation that truth and integrity must at last prevail, and that the prudence of their conduct and success of their measures would at last evince the justice of their intentions.

They hoped, sir, that there would be some occasions on which their enemies would not deny the expedience of their counsels, and did not expect that after having been so long accused of engrossing exorbitant power, of rejecting advice, and pursuing their own schemes with the most invincible obstinacy, they should be supposed on a sudden to have laid aside their arrogance, to have descended to adopt the opinions, and give themselves up to the direction of others, only because no objection could be made to this instance of their conduct.

How unhappy, sir, must be the state of that man who is only allowed to be a free agent, when he acts wrong, and whose motions, whenever they tend to the proper point, are supposed to be regulated by another!

Whether such capricious censurers expect that any regard should be paid by the publick to their invectives, I am not able to determine, but I am inclined to think so

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well of their understandings, as to believe that they intend only to amuse themselves, and perplex those whom they profess to oppose. In one part of their scheme I know not but they may have succeeded, but in the other it is evident how generally they have failed. It must, at least, sir, be observed of these great patrons of the people, that if they expect to gain them by artifices like this, they have no high opinion of their discernment, however they may sometimes magnify it as the last appeal, and highest tribunal.

With regard, sir, to the manner in which the embargo was laid, and the expedients made use of to enforce the observation of it, they were not the effects of a sudden resolution, but of long and deliberate reflection, assisted by the counsels of the most experienced and judicious persons of both nations; so that if any mistake was committed, it proceeded not from arrogance or carelessness, but a compliance with reasons, that if laid before the house, would, whether just or not, be allowed to be specious.

But, sir, it has not appeared that any improper measures have been pursued, or that any inconveniencies have arisen from them which it was possible to have avoided by a different conduct; for when any expedient fails of producing the end for which it was proposed, or gives occasion to inconveniencies which were neither expected nor designed, it is not immediately to be condemned; for it might fail from such obstacles as nothing could surmount, and the inconveniencies which are complained of might be the consequences of other causes acting at the same time, or cooperating, not by the nature of things, but by the practices of those who prefer their own interest to that of their country.

But though it is, in my opinion, easy to defend the conduct of the ministry, I am far from thinking this a proper time to engage in their vindication. The important business before us, must now wholly engage us, nor ought we to employ our attention upon the past, but the future. Whatever has been the ignorance or knowledge, whatever the corruption or integrity of the ministry, this bill

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is equally useful, equally necessary. The question is now concerning an act of the senate, not of the ministry, and the bill may proceed without obstructing future examinations.

If the bill, sir, now before us be so far approved as to be conceived of any real benefit to the nation, if it can at all contribute to the distress or disappointment of our enemies, or the prevention of those domestic disturbances which are naturally produced by scarcity and misery, there is no need of arguments to evince the necessity of despatch in passing it. For if these effects are to be produced by preventing the exportation of provisions, and a law is necessary for that purpose, it is certain that the law must be enacted, while our provisions are yet in our own hands, and before time has been given for the execution of those contracts which are already made.

That contracts, sir, are entered into for quantities that justly claim the care of the legislative power, I have been informed by such intelligence as I cannot suspect of deceiving me. In one small town in the western part of this kingdom, fifty thousand barrels of corn are sold by contract, and will be exported, if time be allowed for collecting and for shipping them.

A few contracts like this will be sufficient to store an army with bread, or to furnish garrisons against the danger of a siege; a few contracts like this will produce a considerable change in the price of provisions, and plunge innumerable families into distress, who might struggle through the present difficulties, which unsuccessful harvests have brought upon the nation, had we not sold the gifts of providence for petty gain, and supported our enemies with those provisions which were barely sufficient for our own consumption.

I have not heard many objections made against the intention of the bill, and those which were offered, were mentioned with such diffidence and uncertainty, as plainly showed, that even in the opinion of him that proposed them, they were of little weight; and I believe they had no greater effect upon those that heard them. It may, therefore, be reasonably supposed that the propriety of a law to

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prevent the exportation of victuals is admitted, and surely it can be no question, whether it ought to be pressed forward, or to be delayed till it will be of no effect.

Mr. FAZAKERLY spoke next, to this effect:—Sir, as the bill now under our consideration is entangled with a multitude of circumstances too important to be passed by without consideration, and too numerous to be speedily examined; as its effects, whether salutary or pernicious, must extend to many nations, and be felt in a few weeks to the remotest parts of the dominions of Britain, I cannot but think, that they who so much press for expedition on this occasion, consult rather their passions than their reason, that they discover rather enthusiasm than zeal, and that by imagining that they have already traced the effects of a law like this to their utmost extent, they discover rather an immoderate confidence in their own capacity than give any proofs of that anxious caution, and deliberate prudence, which true patriotism generally produces.

There is another method, sir, of proceeding, more proper on this occasion, which has been already pointed out in this debate; a method of exerting the prerogative in a manner allowed by law, and established by immemorial precedents, and which may, therefore, be revived without affording any room for jealousy or complaints.

An embargo imposed only by the prerogative may be relaxed or enforced as occasion may require, or regulated according to the necessity arising from particular circumstances; circumstances in themselves variable, and subject to the influence of a thousand accidents, and which, therefore, cannot be always foreseen, or provided against by a law positive and fixed.

Let us not subject the commonwealth to a hazardous and uncertain security, while we have in our hands the means of producing the same end, with less danger and inconveniency; and since we may obviate the exportation of our corn by methods more speedily efficacious than the forms of making laws can allow, let us not oppress our fellow-subjects by hasty or imprudent measures, but make use of temporary expedients, while we deliberate upon the establishment of a more lasting regulation.

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Mr. CAMPBELL spoke to the following purpose;—Sir, that an embargo on merchandise or provisions may, upon sudden emergencies, or important occasions, be imposed by the prerogative, cannot be doubted by any man whose studies have made him acquainted with the extent of the regal power, and the manner in which it has been exerted in all ages. The chief use of the prerogative is to supply the defects of the laws, in cases which do not admit of long consultations, which do not allow time to convoke senates or inquire into the sentiments of the people.

For this reason, in times of war the imperial power is much enlarged, and has still a greater extent as exigencies are more pressing. If the nation is invaded by a foreign force, the authority of the crown is almost without limits, the whole nation is considered as an army of which the king is general, and which he then governs by martial laws, by occasional judicature, and extemporary decrees.

Such, sir, is the power of the king on particular emergencies, and such power the nature of human affairs must, sometimes, require; for all forms of government are intended for common good, and calculated for the established condition of mankind, but must be suspended when they can only obstruct the purposes for which they were contrived, and must vary with the circumstances to which they were adapted. To expect that the people shall be consulted in questions on which their happiness depends, supposes there is an opportunity of consulting them without hazarding their lives, their freedom, or their possessions, by the forms of deliberation.

The necessity of extending the prerogative to the extremities of power, is, I hope, at a very great distance from us; but if the danger of the exportation of victuals be so urgent as some gentlemen have represented it, and so formidable as it appears to the whole nation, it is surely requisite that the latent powers of the crown should be called forth for our protection, that plenty be secured within the nation, by barring up our ports, and the people hindered from betraying themselves to their enemies, and squandering those blessings which the fertility of our soil has bestowed upon them.

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Sir ROBERT WALPOLE replied in the following manner:—Sir, it is so unusual among the gentlemen who have opposed my opinion to recommend an exertion of the regal authority, or willingly to intrust any power to the administration, that, though they have on this occasion expressed their sentiments without any ambiguity of language, or perplexity of ideas, I am in doubt whether I do not mistake their meaning, and cannot, without hesitation and uncertainty, propose the motion to which all their arguments seem necessarily to conduct me; arguments of which I do not deny the force, and which I shall not attempt to invalidate by slight objections, when I am convinced, in general, of their reasonableness and truth.

The necessity of that despatch which I have endeavoured to recommend, is not only universally admitted, but affirmed to be so pressing, that it cannot wait for the solemnity of debates, or the common forms of passing laws. The danger which is every moment increasing, requires, in the opinion of these gentlemen, to be obviated by extraordinary measures, and that pernicious commerce, which threatens the distress of the community, is to be restrained by an immediate act of the prerogative.

If this be the opinion of the house, it will be necessary to lay it before his majesty, by a regular address, that the nation may be convinced of the necessity of such extraordinary precautions, and that the embargo may be imposed, at once, with the expedition peculiar to despotick power, and the authority which can be conferred only by senatorial sanctions.

Whether this is the intention of the members, from whose declarations I have deduced it, can only be discovered by themselves, who, if they have any other scheme in view, must explain it in clearer terms, that the house may deliberate upon it, and reject or adopt it, according to its conformity to the laws of our country, and to the present state of our affairs.

Mr. PULTENEY spoke thus:—Sir, whatever may be the meaning of other gentlemen, who must undoubtedly be left at full liberty to explain their own expressions, I will freely

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declare, that I am sufficiently understood by the right honourable gentleman, and that, in my opinion, no remedy can be applied to the present distemper of the nation, a distemper by which it is hourly pining away, by which its vitals are impaired, and the necessary nourishment withdrawn from it, that will operate with sufficient efficacy and speed, except an embargo be imposed by the prerogative.

That this opinion, if received by the house, must be the subject of an address, is in itself manifest, and the reason for which an embargo is required, proves that an address ought not to be delayed.

I cannot omit this opportunity of remarking, how plainly it must now appear that many of us have been unjustly charged with obstructing the progress of the bill for pernicious purposes, with views of raising discontents in the nation, of exposing the administration to publick hatred, of obstructing the measures of the government, or hindering the success of the war, when we have receded from our general principles, and suspended the influence of our established maxims, for the sake of facilitating an expedient which may promote the general advantage, by recommending his majesty to the affections of his people.

Mr. PELHAM here replied, to this effect:—Sir, I am far from blaming any gentleman for asserting, on all occasions, the integrity of his designs, or displaying the reasonableness of his conduct; and of what I do not disapprove I shall not decline the imitation.

It is not uncommon, in the heat of opposition, while each man is convinced of his own honesty, and strongly persuaded of the truth of his own positions, to hear each party accused by the other of designs detrimental to the publick interest, of protracting debates by artful delays, of struggling against their own conviction, and of obscuring known truth by objections which discover themselves to be without force.

These accusations, which are on both sides frequent, are, I hope, on both sides generally false; at least, it must appear on this occasion, that those who press the bill had no views of strengthening their party by a victory, of wearying their

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opponents by obstinacy, or of promoting any private purposes by a new law; since an expedient, by which time may be gained, and the avowed end of hastening this necessary bill secured, is no sooner proposed on one part, than received on the other.

At the close of the debate, a form of an address was proposed by Mr. Clutterbuck; which, being approved by the house, was presented to his majesty: and an embargo was laid on all provisions accordingly.

On the 17th day of sitting the house proceeded on the bill for preventing exportation; and ordered an account of the corn which had been exported for six years last past to be laid before the committee.

The house also addressed his majesty to take off the embargo on ships laden with fish or rice, which his majesty had before ordered to be done.

On the 21st the corn bill was again the subject of deliberation, and some amendments were offered by Mr. Sandys, containing not only exceptions of rice and fish, which had been before admitted, but likewise of butter, as a perishable commodity, which, if it were not allowed to be exported, would corrupt and become useless in a short time.

He proposed, likewise, that the two islands of Jersey and Guernsey might continue to be supplied, with certain restrictions, from the port of Southampton.

It was proposed, likewise, in favour of some other colonies, that they might receive provisions from Britain, lest there should be a necessity for the inhabitants of those provinces to abandon their settlements.

The penalties of this law, and the manner in which they should be recovered and applied, were likewise settled on this day.

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NOVEMBER 25, 1740.

The consideration of the corn bill was resumed; and it was particularly debated from what time it should commence, which some of the members were inclined to fix on the 9th day of the session, on which occasion Mr. CAMPBELL spoke as follows:

Sir, that the laws may be observed by the nation without daily violence and perpetual compulsion, that our determinations may be received with reverence, and the regulations which we establish confirmed by the concurrence of our constituents, it is necessary that we endeavour to preserve their esteem, and convince them that the publick prosperity may be safely trusted in our hands.

This confidence is to be gained as well in high stations, as in lower conditions, by large assemblies, as by individuals, only by a constant practice of justice, and frequent exertion of superiour wisdom. When any man finds his friend oppressive and malicious, he naturally withdraws his affections from him; when he observes him advancing absurd opinions, and adhering to them with obstinacy incapable of conviction, he falls unavoidably into a distrust of his understanding, and no longer pays any deference to his advice, or considers his conduct as worthy of imitation.

In the same manner, sir, if the legislative powers shall, in making laws, discover that they regard any motives before the advantage of their country, or that they pursue the publick good by measures inadequate and ill-concerted, what can be expected from the people, but that they should set up their own judgment in opposition to that of their governours, make themselves the arbiters in all doubtful questions, and obey or disregard the laws at discretion?

If this danger may arise from laws injudiciously drawn up, it may surely be apprehended from a compliance with this proposal; a proposal that the operation of the law should commence eleven days before the law itself is in being.

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I have, hitherto, sir, regarded it as a principle equally true in politicks as in philosophy, that nothing *can act* when it does *not exist*; and I did not suspect that a position so evident would ever stand in need of a proof or illustration.

We live, indeed, in an age of paradoxes, and have heard several notions seriously defended, of which some would, not many years ago, have condemned their abetter to a prison or a madhouse, and would have been heard by the wisest of our ancestors with laughter or detestation; but I did not expect that the most hardy innovator would have shocked my understanding with a position like this, or have asserted that a law may operate before it is made, or before it is projected.

That where there is no law there is no transgression, is a maxim not only established by universal consent, but in itself evident and undeniable; and it is, sir, surely no less certain, that where there is no transgression there can be no punishment.

If a man may be punished, sir, by a law made after the fact, how can any man conclude himself secure from the jail or the gibbet? A man may easily find means of being certain that he has offended no law in being, but that will afford no great satisfaction to a mind naturally timorous; since a law hereafter to be made, may, if this motion be supposed reasonable, take cognizance of his actions, and how he can know whether he has been equally scrupulous to observe the future statutes of future senates, he will find it very difficult to determine.

Mr. PELHAM rose, and spoke thus:—Sir, notwithstanding the absurdity which the honourable gentleman imagines himself to have discovered in this proposal, and which he must be confessed to have placed in a very strong light, I am of opinion, that it may, with very little consideration, be reconciled to reason and to justice, and that the wit and satire that have been so liberally employed, will appear to have been lost in the air, without use and without injury.

The operation of the law may, very properly, commence from the day on which the embargo was laid by his ma-

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jesty's proclamation, which surely was not issued to no purpose, and which ought not to be disobeyed without punishment.

Sir JOHN BARNARD spoke next, to this effect:—Sir, I cannot but be somewhat surprised, that a gentleman so long conversant in national affairs, should not yet have heard or known the difference between a proclamation and a penal law.

By a proclamation, his majesty may prevent, in some cases, what he cannot punish; he may hinder the exportation of our corn by ordering ships to be stationed at the entrance of our harbours; but if any should escape with prohibited cargoes, he can inflict no penalties upon them at their return.

To enforce this prohibition by the sanction of punishments is the intention of the present bill, but a proclamation can make nothing criminal, and it is unjust and absurd to punish an action which was legal when it was done.

The law ought, sir, in my opinion, not to commence till time is allowed for dispersing it to the utmost limits of this island; for as it is unreasonable to punish without law, it is not more equitable to punish by a law, of which, they who have unhappily broken it, could have no intelligence.

A future day was agreed to.

HOUSE OF COMMONS, DEC. 2, 1740.

DEBATE RELATING TO A SEDITIOUS PAPER OF THE SAME KIND WITH THE CONSIDERATIONS ON THE EMBARGO ON PROVISIONS.

Lord THOMSON took notice of a paper which he had in his hand, and said he received it at the door, where it was given to the members as they came in, and, com-

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plaining of it as an indignity offered to the house, desired that it might be read. Which being done, he rose up, and spoke in substance as follows:

Sir, the crime of exasperating the people against their governours, of raising discontent, and exciting murmurs in a time of general danger, and of attempting to represent wise and salutary measures, which have received the approbation of the whole legislature, as mean artifices, contrived only to raise the fortunes of some favourites of the minister, and aggrandize the officers of state, by the miseries of the people, is a crime too enormous to require or admit any aggravation from rhetorick, and too dangerous to hope for any excuse from candour and lenity.

To read or hear this paper is sufficient for a full conviction of its pernicious tendency, and of the malice of its author; a charge not fixed upon particular expressions capable of a doubtful meaning, and which heat or inadvertency might casually have produced, but supported by the general design of the whole paper, and the continued tenour of the argument, which is evidently intended to show, that an act of government, which cannot but appear necessary and seasonable in the present state of our affairs, an act ratified by the concurrence of all the powers of the legislature, is nothing but a scheme of avarice to grow rich by oppression.

Nor is this scandalous libel written with more confidence and insolence than it is dispersed. Not content, sir, with vilifying the proceedings of the state, the author has industriously published his calumny at our door: the time has been when defamation skulked in secret, and calumnies against the government were dispersed by whispers or private communication; but this writer adds insults to his injuries, and at once reproaches and defies us.

I beg leave to move, therefore, that the house do censure this paper as "a malicious and scandalous libel, highly and injuriously reflecting upon a just and wise act of his majesty's government, and also upon the proceedings of

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both houses of senate; and tending to create jealousies in the minds of the people." I also move, "that the author may be ordered to attend, to be examined at our bar."

[This was unanimously agreed to by the house. The doorkeeper was called in, and, being shown the paper, was asked from whom he received it? who answered, that he believed the person who delivered it to him, was then detained in one of the committee rooms, upon which he was ordered to look for, and fetch him to the bar.]

Mr. SANDYS, taking notice that the person was already in custody, said, that he should be glad to know by what authority. It was not reasonable to punish first, and judge afterwards.

Upon which sir WILLIAM YONGE replied, that he had caused him to be detained, in order to know the pleasure of the house; and that he thought it his duty to secure so enormous an offender from escaping.

Soon after, the doorkeeper brought the man in, when he declared, upon examination, his name and his profession, which was that of a scrivener, and owned with great openness, that he was the author of the paper. He was then asked who was the printer, and answered that he printed it himself. Which he explained afterwards, by saying, that as he had carried it to the printer's, he might be said, in the general acceptation of the term, as applied to an author, to be the printer. He then discovered the printer, and was asked, where was the original manuscript, which he said he had destroyed, as he did any other useless paper.

It having been observed by some of the members, that it was printed in one of the daily papers, he was asked, who carried it thither? and answered, that he carried it himself. It was then demanded, what he gave for having it inserted, and he answered that he gave nothing.

[After many questions, Mr. Henry Archer desired that he might be asked, whether on the Friday before he was in the gallery; at which some of the members expressed their disapprobation, and the man being ordered

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to withdraw, the following debate ensued upon the propriety of the question.]

Mr. SANDYS spoke first, in substance as follows:—Sir, those who are intrusted by their country with the authority of making laws, ought, undoubtedly, to observe them with the utmost circumspection, lest they should defeat their own endeavours, and invalidate, by their example, their own decrees.

There is no part, sir, of our civil constitution more sacred, none that has been more revered by those that have trampled upon other forms of justice, and wantoned in oppression without restraint, than that privilege by which every Briton is exempted from the necessity of accusing himself, and by which he is entitled to refuse an answer to any question which may be asked, with a view to draw from him a confession of an offence which cannot be proved.

Whether this great privilege, sir, is not violated; whether the unalienable right of a free subject is not infringed, by the question put to the person at our bar, the house must decide. The punishment to which intruders are subject by the orders of this house, proves that his presence in the house is considered as a crime, of which, as we have no proof of it, a confession ought not to be extorted by an artful and insidious question, of which he may not discover the intention or the consequence. Such treatment, sir, is rather to be expected by slaves in the inquisition of Spain, than a Briton at the bar of this house; a house instituted to preserve liberty, and to restrain injustice and oppression.

Mr. CAMPBELL spoke next, to this effect:—Sir, I cannot but concur with the opinion of the honourable gentleman, that, in requiring an answer to this question, we shall expose a man to a punishment against whom we have no evidence, but what is extorted from himself; and, consequently, no knowledge of his crime upon which we can proceed to inflict censures or penalties, without the manifest infraction of our constitution.

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It cannot be imagined, sir, that he intends to confess himself guilty of a crime of which no proof has been brought, or that he will voluntarily subject himself to punishments. It must, therefore, follow, that he is entrapped in his examination, by an artifice, which, I hope, will never find any countenance in this house.

Mr. WINNINGTON answered to the following purpose:—Sir, it is not impossible that the honourable gentlemen, having not lately looked into the orders of the house, may mistake the tendency of the question; I, therefore, move that the order may be read.

[The order being read by the clerk, he proceeded.]

It is evident, sir, that by the order now read, the serjeant at arms attending on this house, may take into custody all strangers that shall be found in the house or gallery while we are assembled; and that this order is not always put in practice, must be attributed to the lenity of the house. But that this order extends to past offences, and subjects any man to imprisonment for having been present in some former day, cannot be conceived. For how far may such a retrospect be extended? or at what time, after having intruded into the house, can any man presume to consider himself as exempt from the danger of imprisonment?

Our order, sir, only decrees present punishment for present offences, and, therefore, the question asked by the honourable gentleman, may be insisted on without scruple, and answered without hazard. Let then the honourable gentlemen reserve their laudable zeal for our constitution till it shall be invaded by more important occasions.

Mr. SANDYS replied:—Sir, what victory the honourable gentleman imagines himself to have gained, or whence proceeds all his wantonness of exultation, I am not able to discover. The question only relates to the interpretation of one of our own orders, and is, therefore, not of the highest importance; nor can his success, in so trivial a debate, entitle him to great applause from others, or produce, in a person of his abilities, any uncommon satisfaction to himself.

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But, whatever may be the pleasure of the victory, it must, at least, be gained before it can be celebrated; and it is by no means evident, that he has yet any reason to assure himself of conquest.

His interpretation, sir, of the order, which he has so confidently laid before the house, seems to me to have no foundation in reason or justice; for if it be an offence against the house to be present at our consultations, and that offence be justly punishable, why should any man be exempt from a just censure by an accidental escape? or what makes the difference between this crime and any other, that this alone must be immediately punished, or immediately obliterated, and that a lucky flight is equivalent to innocence?

It is surely, sir, more rational to believe, that the house may punish any breach of its orders at a distant time, that if our censure is once eluded, it may be afterwards enforced; and, therefore, that the question put to the person at the bar ought not to be asked, because it cannot safely be answered.

Mr. PULTENEY spoke next, in words to this effect:—Sir, I cannot but conceive that our order may extend its influence beyond the present moment, and that intrusions may be punished by the house on another day than that on which they were committed.

I am so far, sir, from being of opinion, that, to make the execution of this order valid, the house must sit, without interruption, from the time of the offence to that of the punishment, that if the gentlemen in the gallery were to be taken into custody, I should advise the serjeant to wait till the house should break up, and seize them as they should come out.

Sir WILLIAM YONGE spoke next, in the manner following:—Sir, if any such punishment were now intended, I should advise the gentlemen in the gallery to retire, indeed, but not to hide themselves like felons, or men proscribed by proclamation; for as the power of seizing any man in the house is sufficient to secure us from intrusion, there is no reason to extend it farther; and penalties are

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not, without reason, to be inflicted, neither has the house ever coveted the power of oppressing; and what else is unnecessary punishment?

If, therefore, an intruder is not seized in the act of intrusion, he cannot legally be imprisoned for it. And any of the strangers, who now hear this debate, may retire to a very small distance from the house, and set the serjeant at arms at defiance.

Sir ROBERT WALPOLE then spoke to this effect:—Sir, whether the question be proper or not, it seems very unnecessary to debate; because, however it be answered, it cannot be of great importance: the man has already confessed himself the author of the libel, and may, therefore, be punished without farther examination.

That he is the real author, sir, I am not, indeed, convinced by his assertion, with whatever confidence it was made; for so far as his appearance enables me to judge of his education and sphere of life, it is not probable that he should be much versed in political inquiries, or that he should engage in the discussion of questions like this.

There appears, sir, in the paper before us, a more extensive knowledge of facts, a more accurate attention to commerce, more artful reasoning, and a more elevated style, than it is reasonable to expect from this man, whom, without pretending to determine the limits of his capacity, or the compass of his knowledge, I am, for my part, inclined to look upon as an agent to some other person of higher station, and greater accomplishments.

It is not uncommon, sir, for gentlemen to exercise their abilities, and employ their pens, upon political questions, and when they have produced any thing, which their complaisance for themselves equally hinders them from owning and suppressing, they are known to procure some person of inferiour rank, to take upon him, in publick, the character of the author, and to stand the danger of the prosecution, contenting themselves with the applause and admiration of their chosen friends, whom they trust with the important secret, and with whom they sit and laugh at

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the conjectures of the publick, and the ignorance of the ministry.

This, sir, is a frequent practice, not only with those who have no other employment, but, as I have sufficient reasons to believe, among some gentlemen who have seats in this house; gentlemen, whose abilities and knowledge qualify them to serve the publick in characters much superiour to that of lampooners of the government.

Mr. PULTENEY answered in terms to the following purpose:—Sir, whether the man who confessed himself the author of the paper, has accused himself of what he did not commit, or has ingenuously and openly discovered the truth, it is beyond my penetration absolutely to decide; the frankness and unconcern with which he made the declaration, gave it, at least, the appearance of truth, nor do I discover any reason for doubting his sincerity. Is there any improbability in the nature of the fact, that should incline us to suspect his veracity? Is there any apparent advantage to be gained by assuming a false character? Neither of those circumstances can be produced against him, and an assertion is to be admitted for its own sake, when there is nothing to invalidate it.

But the honourable gentleman, sir, appears to have a very particular reason for his doubts; a reason, which will, I hope, have no weight with any but himself. By denying the paper to this man, he gives room for conjecture and suspicion to range far and wide, and wanton with whatever characters he shall think proper subjects for his amusement. An author is now to be sought, and many diverting arguments may be brought by the dullest inquirer for fixing it upon one man, or denying it to another.

The honourable gentleman, sir, has given us a bold specimen of this kind of wit, by insinuating that it is the production of some one of the members of this house; a conjecture of which I am not able to find the foundation, and therefore imagine, that raillery rather than argument was intended. But let the honourable gentleman recollect, that the chief excellence of raillery is politeness, to which he has surely paid little regard, in supposing that

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what has been unanimously condemned as a libel, has one of those who censured it for its author.

If I am particularly hinted at in this sagacious conjecture, I take this opportunity of declaring that I am equally ignorant of the whole affair with any other gentleman in this house; that I never saw the paper till it was delivered to me at the door, nor the author till he appeared at the bar. Having thus cleared myself, sir, from this aspersion, I declare it as my opinion, that every gentleman in the house can safely purge himself in the same manner; for I cannot conceive that any of them can have written a libel like this. There are, indeed, some passages which would not disgrace the greatest abilities, and some maxims true in themselves, though perhaps fallaciously applied, and at least such an appearance of reasoning and knowledge, as sets the writer far above the level of the contemptible scribblers of the ministerial vindications: a herd of wretches whom neither information can enlighten, nor affluence elevate; low drudges of scurrility, whose scandal is harmless for want of wit, and whose opposition is only troublesome from the pertinaciousness of stupidity.

Why such immense sums are distributed amongst these reptiles, it is scarce possible not to inquire; for it cannot be imagined that those who pay them expect any support from their abilities. If their patrons would read their writings, their salaries would quickly be withdrawn; for a few pages would convince them, that they can neither attack nor defend, neither raise any man's reputation by their panegyrick, nor destroy it by their defamation.

Sir ROBERT WALPOLE then spoke in the following manner:—I hope it is not expected, that the heat with which one class of our political writers have been attacked by the honourable gentleman, should engage me to undertake their defence with the same earnestness. I have neither interest enough in the question to awaken my passions, nor curiosity or leisure sufficient for such an examination of the writings on each side, as is necessary, before the superiority of any author above his brethren can be justly asserted.

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It is no part, sir, of my employment or amusement to compare their arguments, or to balance their abilities; nor do I often read the papers of either party, except when I am informed by some that have more inclination to such studies than myself, that they have risen by some accident above their common level.

Yet that I may not appear entirely to desert the question, I cannot forbear to say, that I have never, from these accidental inspections of their performances, discovered any reason to exalt the authors who write against the administration, to a higher degree of reputation than their opponents. That any of them deserve loud applauses, I cannot assert, and am afraid that all, which deserves to be preserved of the writings on either side, may be contracted to a very few volumes.

The writers for the opposition appear to me to be nothing more than the echoes of their predecessors, or, what is still more despicable, of themselves, and to have produced nothing in the last seven years, which had not been said seven years before.

I may, perhaps, be thought by some gentlemen of each class to speak contemptuously of their advocates, nor shall I think my own opinion less just for such a censure; for the reputation of controversial writers arises, generally, from the prepossession of their readers in favour of the opinions which they endeavour to defend. Men easily admit the force of an argument which tends to support notions, that it is their interest to diffuse, and readily find wit and spirit in a satire pointed at characters which they desire to depress: but to the opposite party, and even to themselves, when their passions have subsided, and their interest is disunited from the question, those arguments appear only loud assertions, or empty sophistry; and that which was clamorously praised, discovers itself to be only impudence or low conceits; the spirit evaporates, and the malignity only remains.

If we consider, sir, what opposition of character is necessary to constitute a political writer, it will not be wondered that so few excel in that undertaking. He

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that will write well in politicks, must at the same time have a complete knowledge of the question, and time to digest his thoughts into method, and polish his style into elegance; which is little less than to say, he must be at once a man of business, and a man of leisure; for political transactions are not easily understood, but by those who are engaged in them, and the art of writing is not attainable without long practice, and sedentary application.

Thus it happens that political writings are generally defective: for they are drawn up by men unacquainted with publick business, and who can, therefore, only amuse their readers with fallacious recitals, specious sophistries, or an agreeable style; or they are the hasty productions of busy negotiators, who, though they cannot but excel the other class of writers in that which is of most importance, the knowledge of their subject, are yet rarely at leisure to display that knowledge to advantage, or add grace to solidity.

Writers of the latter sort appear but seldom, and most of our political papers are the amusements of leisure, or the expedients of want.

Whether the paper now before us is the produce of ease, or of necessity, I shall not determine; I have already offered my opinion, that the man who claims it is not the author, nor do I discover any reason for changing my sentiment: the question is a question merely of conjecture, since neither I nor the honourable gentleman attempt to offer any demonstrative proofs of our opinion. If he has any to produce in favour of his own notions, let him lay them before you, but let him always forbear to impute to me assertions which I never uttered, and beware of representing me as declaring that I believe this paper the composition of some member of this house.

[It was then debated, whether this offence should be punished by the authority of the house, or referred to the cognizance of some of the courts of judicature in Westminster hall, on which occasion Mr. Howe spoke as follows:]

Sir, it is the duty of every part of the legislature, not

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only to preserve the whole system of our government unaltered and unimpaired, but to attend particularly to the support of their own privileges, privileges not conferred upon them by our ancestors, but for wise purposes.

It is the privilege of this house that we, and we only, are the judges of our own rights, and we only, therefore, can assign the proper punishment when they shall be presumptuously invaded.

If we remit this offender, who has attempted to debase the house in the opinion of the nation, to any inferiour court, we allow that court to determine, by the punishment that shall be inflicted, the importance of this assembly, and the value of the collective character of this house.

It therefore concerns us, in regard to our own dignity, and to the privileges of our successours, that we retain the cognizance of this crime in our own hands, in which it is placed by perpetual prescription and the nature of our constitution.

[The house agreed to this, and the libeller was sent to the common jail of Middlesex, by warrant from the speaker.]

Sir WILLIAM YONGE then spoke to this effect:—Sir, I am pleased with finding that the malice and indecency of this libel, has raised in the house a just resentment, and that the wretch, who, with a confidence so steady, and such appearance of satisfaction in his countenance, confesses, or rather proclaims himself the author, is treated as he deserves. But let us not forget that the same degree of guilt always requires the same punishment, and that when the author of scandal is in prison, the printer and propagator of it ought not to be at liberty.

The printer of the daily news is surely the proper object of your indignation, who inserted this libel in his paper, without the fondness of an author, and without the temptation of a bribe; a bribe, by the help of which it is usual to circulate scurrility. To this man the expense or labour of aspersing the government was recompensed by

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the pleasure, and he could not prevail on himself to omit any opportunity of incensing the people, and exposing at once the whole legislature to censure and contempt.

Those, therefore, that have concurred in the imprisonment of the author, will doubtless join with me in requiring the attendance of his officious accomplice, and I cannot forbear expressing my hopes, that he will not meet with kinder treatment.

It is far from being the first offence of his licentious press; and the lenity of the government, by which he has been so long spared, has had no other effect upon him, than to add confidence to his malice, and incite him to advance from one degree of impudence to another.

He has for several weeks persisted in misrepresenting the intention of the embargo, by letters pretended to be written by friends of the government who are injured by it. He has vented his insinuations hitherto, as without punishment, so, as it appears, without fear. It is time, therefore, to disturb his security, and restrain him from adding one calumny to another.

Sir JOHN BARNARD rose up hereupon, and opposed this motion in terms to the following effect:—Sir, the end of punishment is to prevent a repetition of the same crime, both in the offender, and in those who may have the same inclinations; and when that end is accomplished, all farther severities have an appearance rather of cruelty than justice.

By punishing the author of this libel, we have, in my opinion, sufficiently secured our dignity from any future attacks, we have crushed the head of the confederacy, and prevented the subordinate agents from exerting their malice. Printers can do no injury without authors; and if no man shall dare to write a libel, it is not worthy of our inquiry how many may be inclined to publish it.

But if the printer must necessarily be punished before the resentment of the house can be satisfied; if it shall not be thought sufficient to punish him without whose assistance the other could not have offended; let us, at least, confine our animadversion to the present fault, with-

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out tracing back his life for past misdemeanours, and charging him with accumulated wickedness; for if a man's whole life is to be the subject of judicial inquiries, when he shall appear at the bar of this house, the most innocent will have reason to tremble when they approach it.

Even with regard, sir, to the offence of which he is now accused, somewhat may, perhaps, be said in extenuation of his guilt, which I do not offer to gratify any personal affection or regard for him, to whom I am equally a stranger with any other gentleman in this house, but to prevent a punishment which may be hereafter thought disproportioned to the crime.

It is, sir, to be remembered, that he was not the original printer of the libel, which he only reprinted from a paper, of which he knew that it was to be dispersed at our door, and in which he could not naturally suspect any seditious or dangerous assertions to be contained. It is, therefore, probable that he fell into the offence by ignorance, or, at worst, by inadvertency; and, as his intention was not criminal, he may properly be spared.

Mr. WINNINGTON spoke, in answer, to this effect:—Sir, I cannot but think the honourable gentleman betrayed, by his zeal for the defence of this man, into some assertions not to be supported by law or reason. If it be innocent to print a paper once printed, will it not inevitably follow, that the most flagitious falsehoods, and the most enormous insults on the crown itself, the most seditious invectives, and most dangerous positions, may be dispersed through the whole empire, without any danger but to the original printer? And what reason, sir, can be assigned, why that which is criminal in one man, should be innocent in another?

Nor is this the only position which has been advanced contrary to the laws of our country; for it has been asserted, that the general character of an offender is a consideration foreign from that of his immediate crime; and that whatever any man's past life has been, he is only to be judged according to the evidence for the offence which is then the subject of examination.

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How much this opinion is consistent with the practice of our courts, a very slight knowledge of their methods of proceeding will readily discover. Is any villain there convicted but by the influence of his character? And is not the chief question at a trial the past conduct of the person at the bar?

Sir JOHN BARNARD rose here, and spoke thus:—Sir, I rise up only to answer a question, which is, whether properly or not, put to me, and hope the irregularity will not be imputed to me, by the house, but to the occasion which produces it.

I am asked, whether it is not the chief question at the bar of our courts of justice, what is the character of the prisoner? and cannot but feel some amazement that any man should be so ignorant of common proceedings, and so much unacquainted with the execution of our laws, as to have admitted a notion so chimerical.

The character of the prisoner is never examined, except when it is pleaded by himself, and witnesses are produced to offer testimony in his favour; that plea, like all others, is then to be examined, and is sometimes confuted by contrary evidence. But the character of a criminal, though it may be urged by himself as a proof of his innocence, is never to be mentioned by his prosecutor as an aggravation or proof of his guilt. It is not required by the law, that the general character of a criminal, but that the particular evidence of the crime with which he stands charged, should be examined; nor is his character ever mentioned but by his own choice.

Sir WILLIAM YONGE spoke next, to the effect following:—Sir, to prove the malignity of the intention with which this libel was inserted in the daily paper, it cannot be improper to observe, that the embargo has been for many days past the favourite topic of this printer, and that, therefore, it was not by accident that he admitted so zealous an advocate for his opinions to be seasonably assisted by the circulation of his paper, but that he, doubtless, was delighted with an opportunity of dispersing sedition by means of greater abilities than his own.

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Nor can it be justly pleaded, sir, in his favour, that he was encouraged to publish it by the confidence with which he saw it dispersed; for it was printed by him in the morning, and not brought hither till the afternoon. I cannot, therefore, but conclude, that his intentions were agreeable to his practice, and that he deserves to accompany the author in his present confinement.

The advocate, CAMPBELL, spoke next, to this purpose:—Sir, I hope it will not be imputed to me as disregard of the government, or neglect of the honour of this house, that I declare myself, on all occasions like this, inclined to lenity, and think it necessary always to proceed by regular methods, and known forms of justice, not by capricious determinations, and orders variable at pleasure.

I opposed the imprisonment of the man who just now appeared at the bar of our house, and am still more unwilling to proceed to severities against another, who is criminal only in a subordinate degree. The loudest declaimers against these men cannot have stronger detestation of falsehood and sedition than myself; but however flagrant may be the crimes, they may be punished with unjustifiable rigour, and, in my opinion, we have already proceeded with severity sufficient to discourage any other attempts of the same kind.

Whether it will promote the advantage of the publick, and the efficacy of our deliberations, to deter any man from the common practice of giving us information by delivering papers at our door, must be considered by the house.

Nor is it less worthy of our most attentive inquiry, whether it is not more reasonable to prosecute this offender in the common forms of justice, than to punish him by any act of uncontroulable, unaccountable authority? Whether it is not more reasonable to have him prosecuted before a judge unprejudiced, and a disinterested jury, than to act at once as party, evidence, and judge? I have no desire, sir, of diminishing the privileges of this house; and yet less would I contribute to establish any precedents of unlimited power or arbitrary punishments.

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The ATTORNEY GENERAL then spoke to the following effect:—Sir, whence so much tenderness can arise for an offender of this kind, I am at a loss to discover, nor am I able to conceive any argument that can be produced for exempting from punishment the printer of a paper, which has been already determined, by the vote of the house, to be a scandalous libel, tending to promote sedition.

It has been, indeed, agreed, that there are contained in the paper some true positions, and some passages innocent, at least, and perhaps rational and seasonable. But this, sir, is nothing more than to say, that the paper, flagitious as it is, might have been swelled to a greater degree of impudence and scurrility; that what is already too heinous to be borne, might, by greater virulence, become more enormous.

If no wickedness, sir, is to be checked till it has attained the greatest height at which it can possibly arrive, our courts of criminal judicature may be shut up as useless; and if a few innocent paragraphs will palliate a libel, treason may be written and dispersed without danger or restraint; for what libel was ever so crowded with sedition, that a few periods might not have been selected, which, upon this principle, might have secured it from censure.

The danger of discouraging intelligence from being offered at the door of our house, does not alarm me with any apprehensions of disadvantage to the nation; for I have not so mean an opinion of the wisdom of this assembly, as to imagine that they can receive any assistance from the informations of their officious instructers, who ought, in my opinion, sir, rather to be taught by some senatorial censure to know their own station, than to be encouraged to neglect their proper employments, for the sake of directing their governours.

When bills, sir, are depending, by which either the interest of the nation, or of particular men, may be thought to be endangered, it is, indeed, the incontestable right of every Briton to offer his petition at the bar of the house, and to deliver the reasons upon which it is founded.

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This is a privilege of an unalienable kind, and which is never to be infringed or denied; and this may always be supported without countenancing anonymous intelligence, or receiving such papers as the authors of them are afraid or ashamed to own, and which they, therefore, employ meaner hands to distribute.

Of this kind, sir, undoubtedly, is the paper now under our consideration, of which I am far from imagining that it was drawn up by the man who declares himself the writer, and am, therefore, convinced of the necessity of calling the printer to the bar, that whatever the lenity or justice of this assembly may determine with regard to his punishment, he may be examined with respect to the real authors of the libel; and that our resentment may fall upon him, who has endeavoured to shelter himself by exposing another.

Counsellor ORD spoke to this effect:—Sir, I am inclined to believe, that the persons associated in writing and dispersing this paper, whosoever they may be, are of no high rank, or considerable influence; as it is not likely that any man who had much to hazard, would expose himself to the resentment of the whole legislature; but let us not for that reason exert our superiority in wanton punishments, or tyrannise merely because we cannot be resisted. Let us remember that the same justice and the same humanity is due to the meanest, as the highest of our fellow-subjects; and that there is even less necessity of rigorous measures, as the attack is less formidable.

But, sir, there is one motive to moderation that has seldom been found less efficacious than the consideration of the laws of justice or humanity. We ought to be withheld by regard to our posterity, and even to ourselves, from any exorbitant extension of our privileges. We know, that authority once exerted, is claimed afterwards by prescription. And who knows by what sudden rotation of power he may himself suffer by a precedent which he has concurred to establish, and feel the weight of that oppressive power which he first granted for the punishment of another?

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Mr. HOWE spoke thus:—Sir, I am always unwilling to oppose any proposal of lenity and forbearance, nor have now any intention of heightening the guilt of this man by cruel exaggerations, or inciting the house to rigour and persecution.

But let us remember, sir, that justice and mercy are equally to be regarded, and while we pity the folly of a misguided, or, perhaps, a thoughtless offender, let us not suffer ourselves to be betrayed, by our compassion, to injure ourselves and our posterity.

This house, sir, has always claimed and exerted the privilege of judging of every offence against itself, a privilege so long established, and so constantly exercised, that I doubt whether the inferiour courts of judicature will take cognizance of an attack upon us; for how can they venture to decide upon a question of such importance without any form or precedent for their proceedings.

There seems also to be at this time, sir, an uncommon necessity for tenaciousness of our privileges, when, as some whispers, which have been wafted from the other house, inform us, a motion has been made in terms which might imply the subordination of this assembly, an assertion without foundation either in reason or justice, and which I shall always oppose as destructive to our rights, and dangerous to our constitution.

Let us, therefore, sir, retain in our hands the cognizance of this affair, and let the criminal either suffer his punishment from *our* sentence, or owe his pardon to *our* mercy.

[It was agreed that the printer of the daily paper should attend next day, when, being called in, it was proposed that he should be asked, whether he printed the paper complained of. It was objected to, for the same reason as the question about the author's being in the gallery, because the answer might tend to accuse himself; and he being withdrawn, a debate of the same nature ensued, and the question being put whether he should be asked, if he be the person that printed the daily paper shown to him, which paper the house the day before resolved to contain

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a malicious and scandalous libel, etc. it was, on a division, carried in the affirmative, by two hundred and twenty-two against one hundred and sixty-three: accordingly he was called in again, and being asked the question, he owned that he printed the said paper from a printed copy which was left for him with one of his servants; and being asked what he had to allege in his justification or excuse for printing the said libel, he said that as he had before printed several other things which he had received from the said person, which had not given offence, he inserted part of the paper in his news, and which he should not have inserted, if he had thought it would have given offence to the house, and that he forbore to print the remainder, having heard that it had given offence. Upon which he withdrew, and the house, after some debate, on a division, one hundred and eighty-eight to one hundred and forty-five, not only ordered him into the custody of the serjeant, but resolved to present an address to his majesty, that he would be pleased to give directions to his attorney general to prosecute him at law.

The first printer of the libel was also ordered into custody. This was on the 3d of December, but the next day presenting his petition, expressing his sorrow for the offence, whereby he had justly incurred the displeasure of the house, and praying to be discharged, he was brought to the bar on the following day, received a reprimand on his knees, and was ordered to be discharged, paying his fees.]

On the 12th, lord Barrington presented a petition from the printer of the daily paper, expressing his sorrow, promising all possible care not to offend for the future, and praying to be discharged.

This petition being read, a motion was made, that the serjeant at arms do carry the petitioner to some court of law, to give security for his appearance to the prosecution to be carried on against him by the attorney general; which done, that he be discharged, paying his fees.

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Sir WILLIAM YONGE spoke to this effect:—Sir, I know not for what reason this enormous offender is entitled to so much regard, or by what interest he has engaged so many, who, I doubt not, abhor his crimes, to pity his sufferings.

Had he been young and unexperienced, and seduced into the commission of this offence by artifice or persuasion, his act might have been reasonably considered rather as an errour than a crime, and it might have been proper to treat with lenity a delinquent neither obstinate nor malicious.

But how, sir, can this plea be urged in favour of a man, whose daily employment it has been, for these two years past, to misrepresent the public measures, to disperse scandal, and excite rebellion, who has industriously propagated every murmur of discontent, and preserved every whisper of malevolence from perishing in the birth.

The proper judge, sir, of this affair, is his majesty's attorney general, who is not now in the house. I am, therefore, for detaining him in custody, and for referring the consideration of farther proceedings against him to that gentleman, whose proper province it is to prosecute for the crown.

Mr. WALLER spoke next, to the following purpose:—Sir, it is undoubtedly the duty of every man to oppose the introduction of new laws, and methods of oppression and severity, which our constitution does not admit; and what else is the mention of a prisoner's character as an aggravation of his present offence?

It is well known, and has been already asserted, upon this occasion, that in the lower courts of justice, though the prisoner may plead his character, in his own defence, his prosecutor is not at liberty to produce it to his disadvantage. Even those who are cited to the bar for murder or for treason, are tried only by the evidence of that crime for which they are indicted.

That this house is not bound to strict forms, and is not accountable for the exercise of its power, is easily granted; but authority cannot change the nature of things, and

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what is unjust in a lower court, would be in us not less unjust, though it may not be punishable.

It was replied that this question had been before sufficiently discussed.

The attorney general not being present, the debate was adjourned to the next sitting.

On the next day of the session, the lord Barrington proposed, that the adjourned debate might be resumed, and several members interceded for the petitioner, that he might be released; to which it was objected, that it was not proper to release him, unless an information was lodged against him, without which he could not be held to bail; and the question being put, whether he should be released, was determined in the negative.

At the sixth sitting, the author of the libel, who was committed to the common prison of Middlesex, petitioned the house to permit him to implore pardon on his knees, and promising, by the strongest and most solemn assurances, not to offend again, was ordered to be discharged the next day, paying his fees.

On the forty-seventh sitting, the printer of the daily paper again petitioned the house, representing, that he most heartily bewailed his offence, that he was miserably reduced by his confinement, having borrowed money of all his friends to support himself, his wife, and children, and praying the mercy of the house. He was then ordered to be discharged, paying his fees, and giving security for his appearance to answer the prosecution.

On the eighty-fifth day, Mr. George Heathcote offered another petition for the said printer, and represented, that the fees amounting to one hundred and twenty-one pounds, he was not able to pay them, that, therefore, he hoped the house would consider his case; but the petition was not allowed to be brought up. On which he remained in custody fourteen days longer, till the end of the session, and, the authority of the senate ceasing, had his liberty without paying any fees.

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HOUSE OF COMMONS, DEC. 4—11, 1740.

ON INCORPORATING THE NEW-RAISED MEN INTO THE STANDING REGIMENTS.

On the 4th of December, sir William Yonge, secretary at war, having presented to the house of commons an estimate of the expense of raising ten thousand men, the same was taken into consideration in a committee on the supply, and after debate agreed to. At the report of this proceeding, on the 11th, another debate happened on a motion that the new-raised men should be incorporated into the standing regiments, etc.

As in these two debates the arguments were the same, they are thrown into one, to prevent unnecessary repetitions.

Sir WILLIAM YONGE opened the debate with respect to what he had delivered in the estimate, after the manner following :—Sir, as this estimate has been drawn up after very accurate calculations and careful inquiries, I hope that no objections will be raised against it, and that the sum necessary for raising the new regiments will be very readily granted by that house, which voted the war necessary for which they are designed.

I hope it will be admitted as some proof of frugality, that this estimate requires less money than one that was laid before the senate in the reign of king William ; for if it be considered, that since that time, the necessaries of life are become dearer, and that, therefore, all expenses are increased, it will appear to be the effect of the exactest economy, that the sum required for the same service is less.

I have heard, indeed, sir, that in conversation, the method of raising troops on this occasion has been censured as improper, and that in the opinion of some, whose judgment cannot be entirely disregarded, it would be more reasonable to add more men to our regiments already

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established, than to raise new regiments with new officers.

The chief argument, sir, produced in support of their method of augmentation, is drawn from the necessity of publick frugality, a very popular topick, which never fails to produce favour and attention; for every man is naturally inclined to hear his friend, and to consider that man as performing the office of friendship, who proposes methods of alleviating his taxes.

Frugality is undoubtedly a virtue very necessary to the happiness of the nation, and such as there occur frequent occasions of inculcating to those who are intrusted with the superintendence of publick disbursements, but I am far from thinking that this estimate affords any opportunity for declamations of this kind, and am of opinion that the addition of new soldiers to each regiment, would, in reality, be more expensive.

It cannot be denied, sir, that by augmenting the regiments, there would be immediately saved to the publick the expense of the officers which are necessary in the method now proposed; but it is to be considered how much the number of officers contributes to the regularity and discipline of the troops, and how much discipline and order promote their success. It is to be considered, sir, that the most successful method of making war is undoubtedly the cheapest, and that nothing is more expensive than defeats.

If by raising the same number of men under fewer officers, we should give our enemies any advantage, if a single party should be cut off, a garrison forced, an expedition rendered fruitless, or the war protracted but a few months, where will be the advantage of this admired frugality? What would be the consequence, but the same or a greater expense, not to gain advantages, but to repair losses, and obviate the effects of our former parsimony?

In private life, sir, it is common for men to involve themselves in expense, only by avoiding it; to repair houses at greater charges than new ones might be built,

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and to pay interest, rather than the debt. Weak minds are frighted at the mention of extraordinary efforts, and decline large expenses, though security and future affluence may be purchased by them; as tender bodies shrink from severe operations, though they are the certain methods of restoring health and vigour. The effects of this timidity are the same in both cases, the estate is impaired insensibly, and the body languishes by degrees, till no remedy can be applied.

Such examples, sir, are frequent, and the folly of imitating them is therefore greater, for who would pursue that track by which he has seen others led to destruction? Nor need we search for remote illustrations to discover the destructive tendency of unseasonable tenderness for the publick, for I believe the whole history of the wars of king William will prove, that too close an attention to parsimony is inconsistent with great achievements.

It may be expected that I, who cannot claim any regard in this disquisition, from my own experience, should produce some decisive evidence in favour of the method which I have taken upon me to defend; this expectation I shall endeavour to satisfy, by alleging the authority of the greatest commander of later ages, whom neither his friends nor his enemies will deny to have been well versed in these subjects, and whose success is a sufficient proof of the soundness of his principles.

The illustrious duke of Marlborough was of opinion, that the whole force of the French armies consisted in the number of the officers, and that to be always equal to them in the field, it was necessary to form our troops nearly upon the same plan; to this scheme he conformed in his practice of war, and how much his practice confirmed his opinion, let Blenheim and Ramillies attest.

As I pretend not to have determined myself on this question, otherwise than by authority, and, as I know not any authority equal to that of the duke of Marlborough, I cannot discharge the trust reposed in me by my country, any otherwise, than by proposing, that, on this occasion,

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we agree to grant his majesty the sum calculated for raising the new regiments, as I believe that method of augmentation most likely to produce success in our undertakings, and consequently to procure a speedy conclusion of the war.

Mr. PULTENEY spoke next, to the following effect:—Sir, I have been so long accustomed to the debates of this house, and have so often attended to the eloquence of the right honourable gentleman, that I am never startled at paradoxes, nor shocked at absurdities; I can now hear with great tranquillity an harangue upon the necessity of placemen in this house, upon the usefulness of standing armies, and the happiness of a general excise.

I am no longer offended with facts quoted in opposition to history, nor with calculations drawn up without regard to the rules of arithmetick; I know that there are persons in this house, who think themselves obliged to speak, even when in their own opinion nothing can be said with weight or with propriety; who come hither prepared against the shame of confutation, and determined not to be convinced.

To reason with such men, sir, is, indeed, no pleasing task; it is to fight with enchanted heroes, upon whom the common weapons of argument have no effect, and who must be softened by a countercharm, before they can be attacked with any prospect of success.

There are some, however, of whom I am willing to believe that they dispute only for truth, and inquire with the view of attaining a solution of their doubts. For the sake of these, sir, I think it necessary to declare my sentiments, as I shall be desirous, in my turn, to hear their sentiments; but with regard to those whose opinion I know already by their posts, I should think it of great advantage to the despatch of publick affairs, if they would content themselves with voting for their pay, without any ambition of other service, or adding the praise of volubility to that of steadiness.

Having this opportunity, sir, of declaring my opinion of the measures pursued in regulating our military preparations, I shall not confine myself entirely to the present

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question, but lay before the house my thoughts upon some parts of the establishment, which may, perhaps, require a reform, and which are at least proper objects of consideration, though not absolutely necessary to the determination of our opinion upon the present motion.

I have long ago, sir, declared, what, therefore, it is scarcely of any use to repeat, that I know not any advantage to be hoped from a standing army, nor can discover why the ablest and most vigorous of the inhabitants of this kingdom should be seduced from the loom, the anvil and the plough; only to live at ease upon the labour of industry, only to insult their landlords, and rob the farmers. I never could find why any body of men should be exempt from the common labour of social duties, or why they should be supported by a community, who contribute neither to its honour nor its defence.

I doubt not, sir, but I shall hear, on this occasion, of the service of our troops in the suppression of riots; we shall be told, by the next pompous orator who shall rise up in defence of the army, that they have often dispersed the smugglers; that the colliers have been driven down by the terrour of their appearance to their subterraneous fortifications; that the weavers, in the midst of that rage which hunger and oppression excited, fled at their approach; that they have at our markets bravely regulated the price of butter, and, sometimes, in the utmost exertion of heroick fury, broken those eggs which they were not suffered to purchase on their own terms.

Some one, perhaps, of more penetration, may inform us of the use which has been made of them at elections, where the surly burgesses have been sometimes blind to the merit of those worthy gentlemen, whom the soldiers have known how to esteem according to their desert; nor, indeed, do I see how those can refuse their votes in favour of our troops, who are indebted for the power of giving them, to their kind interposition.

To these arguments, sir, I shall content myself with answering, that those who are versed in the history of Britain, know that we have had colliers and weavers for many

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years before a standing army was heard of among us, and that it is, nevertheless, nowhere recorded that any of our kings were deposed by those formidable bodies of men, or that any remarkable changes were made by them in the form of our government; and, therefore, till some reason shall be alleged, why such insurrections are now more dangerous, and our civil magistrates more impotent than in former ages, I humbly conceive, that even without the protection of a standing army, we might yet sleep in security, notwithstanding the plots of the colliers, and the combinations of the weavers.

But I must own, sir, these are not our only enemies, for there is somewhere, yet in existence, a person that lays claim to the dominion of these kingdoms, and pleads an hereditary title to dispose of our wealth, to subvert our liberties, and destroy our religion.

If any foreigner, sir, unacquainted with our affairs, were to be present at our debates, and to hear with what ardour we animate each other to an obstinate resistance of this pretender to the throne, how often he is represented as hovering over us, and how often we have caught a general panick, and imagined ourselves upon the verge of destruction, how often our most zealous patriots take opportunities of declaring their resolution to die in defence of their liberties; and how pathetically our most elegant declaimers have expatiated on the misery of that unhappy race, whom they should leave behind to groan under the oppression of absolute power, what would be his opinion of this pretender, whom he saw so perpetually dreaded, against whom so many alliances were formed, so many armies were levied, and so many navies equipped?

Would he not believe him to be some formidable tyrant in a neighbouring country, the lord of wide dominions, and the master of numerous armies and powerful fleets? Would he not imagine that he could assemble half the continent at his call, that he was supported by powerful alliances, and that nothing but a fair wind was required to land him on our coasts at the head of millions? And would he not, even on that supposition, be inclined to cen-

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sure us as timorous, as somewhat regardless of the honour of our nation, and condemn us for giving way to such suspicions and exclamations, as have a natural tendency to heighten the apprehension of danger, and depress the spirits of the people?

But what would be his conclusion, sir, when he should be told, what in reality is true, that this dreadful pretender is an unhappy fugitive, driven in his infancy from this country, and by consequence without any personal interest; that he is supported by the charity of a prince whose name is hated almost by every inhabitant of the kingdom; that he has neither sovereignty, nor money, nor alliances, nor reputation in war, nor skill in policy; that all his actions are watched by British spies; and that the few friends that remain to support the farce of a court, are such only as dare not return to their native country, and are, therefore, without fortune, and without dependants?

What could a wise man conceive of a nation held in continual alarms by an enemy like this; of a nation always watchful against an invasion from a man who has neither dominions to supply, nor money to hire a single regiment; from a man whose title all the neighbouring princes disown, and who is at such a distance from them, that he cannot be assisted by them without open preparations, of which we cannot fail of having intelligence, and which may be defeated, without danger, by the vessels regularly stationed on our coasts?

Would not any stranger imagine, sir, that we were a nation infected with a general phrensy, that cowardice had perverted our imaginations, filled us with apprehensions of impossible invasions, raised phantoms before our eyes, and distracted us with wild ideas of slavery and tyranny, oppression and persecution?

I have dwelt thus long on this point, because I know the pretender is the last refuge of those who defend a standing army; not that I propose to convince any man of the folly of such apprehensions, or to fortify him against such terrours for the time to come; for if any man, in

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reality, now dreads the pretender, fear must be his distemper; he is doomed to live in terrours, and it is of no importance whether he dreads an invasion or a goblin, whether he is afraid to disband the army, or to put out his candle in the night; his imagination is tainted, and he must be cured, not by argument, but by physick.

But the greatest part of those who disturb our consultations with the mention of the pretender, are men of a very different character, men equally unconcerned about his designs, or his motions, with those who are most desirous of setting the nation free from the burden of an army, and very often such as we may discover, from their conduct, to be determined to comply with every government; and such as have, therefore, nothing to fear from a change of masters.

The men, for whose sake I am now speaking, sir, laugh equally with myself at the apprehensions of those whom they contribute to terrify; they know too well the impotence of the pretender to dread an invasion from him, and affect only to continue their outcries, that they may not be deprived of a topick, on which, by long practice, they have attained an uncommon facility of haranguing, which they know how to diversify with various combinations of circumstances, and how to accommodate to any emergent occasion, without the pain of torturing their inventions.

It may be useful, sir, to inform these men, that their disguise ought at last to be thrown off, because it deceives no longer, and that the nation cannot be cheated but at the expense of more cunning than they are willing, or perhaps able, to display. A mask must necessarily be thrown aside, when, instead of concealing, it discovers him by whom it is used.

Those who are attempting, sir, to deceive others, and whose character is exalted, in their own opinion, in proportion to the success of their endeavours, have surely a sense of shame, though they have none of virtue, and cannot, without pain, find their artifices detected, and themselves made the objects of ridicule, by those stratagems which they employ for the deception of others.

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I hope, therefore, sir, that, for their own sakes, these declaimers on the exploded story of the pretender, will change their bugbear, that if it be necessary to frighten those whom they want art or eloquence to persuade, they will find out some other object of terrour, which, after a little practice in private meetings, they may first produce in the court, and then turn loose in the senate.

The world, methinks, allows them a sufficient choice of tyrants more formidable than the pretender. Suppose they should revive the history of the Mohocks. The Mohocks are a dreadful race, not to be mentioned without horrour, by a true lover of his country, and a steady adherent to the house of Hanover; they might then very easily increase our army, or enhance our taxes; for who would not be urged by his wife and daughter to agree to any measures that might secure them from the Mohocks?

But as an army is, at present, likely to be kept up for our defence, against an enemy less formidable, it may be more seasonable to propose the regulation than the dismission of our troops, and to mention those evils which arise from the present establishment, rather than those which are inseparable from the expense of a standing force.

If it be necessary, sir, to support soldiers, I suppose that it will not be denied by the advocates for an army, that we ought to levy such troops as may be of use; yet in their practice they seem to have paid very little regard to this principle. Our troopers are mounted upon horses which can serve no purpose but that of show, which may, indeed, wheel about in the park with a formidable air, but can neither advance upon an enemy with impetuosity, nor retreat from him with expedition; and which, therefore, though purchased by the nation at a very high price, and supported at a large expense, can only grace a review, but are of very little use in an enemy's country, and must perish in the march, or stand unactive in the battle.

Nor is much more service to be expected, sir, from their riders, than from the horses, for there are very few of them acquainted with the first elements of their profes-

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sion, or who have ever learned more than a few postures of exercise, and the meaning of a few words of command, but have a number of officers with large appointments.

The French troops, sir, if they are doubly officered, are officered and maintained at a less expense, and to greater effect; for the soldiers are better instructed, and the same number of men cost not, perhaps, much more than half the charge of a British regiment.

The guards, sir, that are maintained about this metropolis, for no other purpose than to keep up the splendour of a modern court, cost the nation, yearly, such a sum as would be sufficient to support an army of Frenchmen, for the protection of their frontier towns, or the invasion of neighbouring countries.

For my part, I cannot see what injury would be done to the nation by abolishing an establishment, at the same time useless and expensive, and employing that money which is at present squandered upon idlers without effect, upon levies of useful soldiers for marching regiments, who might be employed, when occasion should require them, in the service of their country.

It will, doubtless, be objected, that the officers of this body of men, many of whom are persons of the highest merit, and who have, generally, purchased their commissions, might very justly complain of being deprived, without a crime, of that which they have bought at its full value, and to which, therefore, they imagine themselves entitled, till they shall forfeit their right by some offence against the laws, or some neglect of their duty.

I shall not, sir, at present, inquire into the justness of this plea, nor examine, whether he who purchases an employment, which he knows to be useless, and therefore burdensome to the publick, deserves that the publick should be solicitous to support him in the enjoyment of it; but I shall declare, on this occasion, with confidence, that I know many of the officers of the guards to be men of honour, who would gladly exchange their posts, so chargeable to the nation, for an opportunity of serving it,

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and who are not very anxious for the increase of their pay, so they may not be degraded from their present rank.

If these gentlemen, sir, might, in the regiments that should be raised by disbanding the guards, be advanced to higher commissions, though with some diminution of their pay, they would imagine themselves abundantly compensated by the happiness of becoming useful subjects, and serving that nation by which they have been, hitherto, supported only to fill up the pomp of levees, and add to the magnificence of drawing-rooms, to loiter in antechambers, and to quarrel at gaming tables.

If this scheme should not be approved, the method eligible, in the next degree, seems to be that of incorporating our new levies into the regiments already raised, that being associated with men already acquainted with discipline, they may learn their duty much more expeditiously than in separate bodies, where one officer will be obliged to attend to the instruction of great numbers, and where no man will be excited to application, because no man will see any degree of excellence which he may be ambitious of attaining.

I have, indeed, heard no reason alleged for the necessity of new levies, which appeared likely to convince even those by whom it was produced. It appears to me that our present army is more than sufficient for the publick service, without an augmentation, and that some of our regiments might immediately embark, not only without danger to the nation, but with far greater hopes of success, as our enemies would have less time to strengthen their fortifications, and collect their troops, and as disciplined forces are more formidable than troops newly levied; for discipline must be of great efficacy to the success of military undertakings, or all arguments which have been used in the defence of a standing army fall to the ground.

In answer to this proposal, we shall probably be once again intimidated with an invasion, whether from the pretender, the Spaniards, the French, or any other power, it is of no great importance. An invasion is a formidable

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sound; the sack of towns, the destruction of villages, the captivity of our children, the ruin of our fortunes, and the desolation of our country, are frightful images, and may, therefore, be successfully produced, on this occasion, to perplex our thoughts, and embarrass our inquiries.

To remove, therefore, this panick, and to dissipate, for ever, the phantoms of invasion, I will lay before the house the opinion of the great commander whose name has already been introduced in this debate. In the late reign, on a day when the great officers of the crown, and many of the council, were at a publick feast in the city, a report was suddenly spread that the duke of Ormond had landed in the west, with two thousand men. This account was, in appearance, well attested, and universally believed; all jollity was, therefore, at an end, the company departed, the council was summoned, and every man offered such expedients as his present thoughts, confused and oppressed with the proximity of the danger, suggested to him. One proposed, that a body of troops should be sent to a distant part of the kingdom, to restrain the seditions of the populace; another apprehended more danger from a different quarter, and advised that the inhabitants should be awed by another detachment sent thither; the most experienced easily saw the unprofitableness of the measures proposed, but could not so easily strike out more efficacious expedients, and therefore sat in great perplexity. Lord Somers, particularly, shook his head, and seemed to consider the kingdom as in the hands of the invaders, and the dreadful pretender as seated on the throne.

At last, the duke of Marlborough, who had hitherto sat silent, asked calmly, whether they were certain that any forces were really landed, and was answered, that though it might not be absolutely certain, yet they were to consult and send orders upon that supposition. Then, says he, I will lay down this great rule to be observed invariably, whenever you are invaded. Attend only to one point, nor have any other purpose in view than that of destroying the regular forces that shall be landed in the kingdom, without

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any regard to petty insurrections, which may be always easily quelled, and which will probably cease of themselves, when the army by which they were excited is cut off. For this end, let it be your rule, to keep your army undivided, and to make no motion but towards the enemies; fight them with the utmost expedition before they can fortify themselves, or receive reinforcements from the continent. By the observation of this plain method of operation, continued he, I will engage, without any other force than the regiments generally stationed about the capital, to put a stop to any troops that shall be landed on the coast of Britain.

So far was this great officer, who was acquainted with the whole art of war, from sinking into astonishment at the sound of an invasion, and so far from thinking it necessary that the nation should be harassed by standing troops, to preserve it from being plundered by a foreign army.

But though our troops, sir, should not be necessary to prevent an invasion, they may be useful in services of equal importance; the ministry may think the suffrages of the officers more serviceable than their swords, and may be more afraid of exposing themselves than the nation by any detachment of their forces.

Such is, at present, sir, the state of this unhappy country, that neither in peace nor war are any measures taken, but with a view of increasing or confirming the power of the ministry; for this purpose those troops whose officers have seats here, are to be retained at home, and the fate of our American settlements to be committed to new-levied forces, without military skill.

For this reason is an army to be raised without necessity, and raised in a manner that may furnish the court with an opportunity of extending its influence, by the disposal of great numbers of new commissions. By this plan every family that is burdened with a relation whose vices have ruined his fortune, or whose stupidity disqualifies him for employment, will have an opportunity of selling, for a commission, its interest at the approaching election;

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dependence will be propagated, and the troublesome spirit of liberty be depressed.

To little purpose will it be objected, that soldiers and officers will be equally ignorant, that discipline is not infused instantaneously, that a military dress will not make a soldier, that men can only know their duty by instruction, and that nothing is to be hoped from ploughmen and manufacturers, commanded by schoolboys. The success of the expedition is not so much considered by those who have the direction of the levies, as that of the election, and while they keep their posts, they are very little concerned about the affairs of America.

In defence of this method, it has, indeed, been affirmed, that it was preferred by the duke of Marlborough; but we are not informed to whom, or upon what occasion he declared his opinion, and, therefore, are left at liberty to doubt, whether his authority is not produced for a method which he did not approve, or approved only at some particular time for some extraordinary service.

It is urged, that he recommended it by his practice, and that his success is a sufficient proof that his practice was founded upon right maxims. But if it be remembered what was, in that time, the method of obtaining commissions, and who it was that had the disposal of them, it will appear not absolutely certain, that his practice ought to be produced as a decisive proof of his opinion.

If the success of troops be properly urged as an argument for the form of their establishment, may not the victories of prince Eugene afford a proof, equally convincing, that a few officers are sufficient? And if the arguments which arise from success are equal on both sides, ought not the necessity of saving the publick money to turn the balance?

War, sir, is in its own nature a calamity very grievous to the most powerful and flourishing people, and to a trading nation is particularly destructive, as it at once exhausts our wealth, and interrupts our commerce, at once drinks up the stream and chokes up the fountain. In those countries whose affairs are wholly transacted within

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their own frontiers, where there is either very little money, or where their wealth is dug out of their own mines, they are only weakened by the loss of men, or by the diminution of their dominions, and, in general, can only suffer by being overcome.

But the state of Britain is far different; it is not necessary to our ruin that an enemy should be stronger than ourselves, that he should be able to pour armies into our country, to cover the sea with fleets, to burn our villages by incursions, or destroy our fortresses with bombs; for he that can secure his own dominions from our attacks, to which nothing but distance and some advantages of situation are necessary, may support a war against us, and he that can fit out privateers to interrupt our trade, may, without obtaining a victory, reduce us to distress.

Our situation, sir, as it preserves us from the danger of an invasion, except from that powerful monarch, the pretender, who is, indeed, always to be dreaded, has, likewise, the effect of securing other nations from being invaded by us; for it is very difficult to transport in one fleet, and to land at one time, a number sufficient to force their way into a country where the ports are fortified, and the inhabitants in arms.

Our wars, sir, are, therefore, to be determined by naval battles, and those nations have very little to fear from us who have no trade to be disturbed, and no navies to be destroyed; if they can only fit out cruisers, which may always be done by granting commissions to foreign adventurers, they may ruin our merchants by captures, exhaust the nation by the necessity of convoys, and give neutral traders an opportunity of establishing their credit at those markets which have been, hitherto, supplied by our manufactures.

This is, indeed, far from being at present an exact account of the state of Spain, whose wide-extended dominions are liable to insults, and from whom many of her most wealthy provinces may be torn without great hazard or difficulty. The particular state of her commerce, which, being only carried on from one part of her dominions to

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another, can only be for a time interrupted, but is in no danger of being invaded by any rival, or lost by disuse, at least requires our consideration, and we ought to make war with the utmost frugality, against a people whom no hostilities can really impoverish, whose commerce may be said to lie at rest rather than to be shackled, as it will rise into greater vigour at the end of the war, and whose treasures, though the want of them is a present inconvenience, are only piled up for a time of security.

As the only method, sir, of reducing this nation, must be that of invading its colonies, and dismembering its provinces, by which the chief persons will be deprived of their revenues, and a general discontent be spread over the people, the forces which are levied for this expedition, an expedition on which so much of the honour of our arms and the prosperity of our trade must necessarily depend, ought to be selected with the greatest care, and disciplined with the exactest regularity.

On this occasion, therefore, it is surely improper to employ troops newly collected from shops and villages, and yet more irrational to trust them to the direction of boys called on this occasion from the frolicks of a school, or forced from the bosoms of their mothers, and the softness of the nursery. It is not without compassion, compassion very far extended, that I consider the unhappy striplings doomed to a camp, from whom the sun has hitherto been screened, and the wind excluded, who have been taught, by many tender lectures, the unwholesomeness of the evening mists and the morning dews, who have been wrapt in furs in winter, and cooled with fans in summer, who have lived without any fatigue but that of dress, or any care but that of their complexion.

Who can forbear, sir, some degree of sympathy, when he sees animals like these taking their last farewell of the maid that has fed them with sweetmeats, and defended them from insects; when he sees them drest up in the habiliments of soldiers, loaded with a sword, and invested with a command, not to mount the guard at the palace, nor to display their lace at a review; not to protect ladies

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at the door of an assembly room, nor to show their intrepidity at a country fair, but to enter into a kind of fellowship with the rugged sailor, to hear the tumult of a storm, to sustain the change of climates, and to be set on shore in an enemy's dominions?

Surely, he that can see such spectacles without sorrow, must have hardened his heart beyond the common degrees of cruelty, and it may reasonably be expected, that he who can propose any method by which such hardships may be escaped, will be thought entitled to gratitude and praise.

For my part, I should imagine, sir, that an easy method might be discovered of obviating such misery, without lessening that number of officers, which, perhaps, in opposition to reason and experience, some gentlemen will continue to think necessary, and hope that this may be no improper time to declare my opinion.

I have observed, that for some time no private centinel has ever risen to any rank above that of a serjeant, and that commissions have been reserved as rewards for other services than those of the camp. This procedure I cannot but think at once impolitick and unjust.

It is impolitick, sir, as it has a natural tendency to extinguish in the soldiery all emulation and all industry. Soldiers have an equal genius with other men, and undoubtedly there might be found among them great numbers capable of learning and of improving the military sciences; but they have, likewise, the same love of ease, and the desire of honour and of profit, and will not condemn themselves to labour without the prospect of reward, nor sacrifice their time to the attainment of that knowledge, which can have no other effect than to make them discover the stupidity of their commanders, and render their obedience more difficult, as it will destroy that reverence which is necessary to subordination.

It is unjust, sir, because it is not to be doubted, that some soldiers, by the natural force of their faculties, or by a laudable activity of mind, have extended their knowledge beyond the duties of a private station; and he that excels in his profession, has an equitable claim to distinc-

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tion and preferment. To advance any man in the army, because his father is an orator in the senate, or the chief inhabitant of a borough, seems not more rational, than to make another man a judge, because some of his ancestors were skilled in gunnery; nor would the lawyers have juster reasons for complaint in one case, than the soldiers in the other.

It is, therefore, sir, in my opinion, necessary to the advancement of military knowledge, that, as a centinel is, for excelling in his profession, advanced to the degree of a serjeant, the serjeant, who continues his application, and performs his duty, should, in time, be honoured with a commission.

It may be objected, indeed, that serjeants, though they are skilful commanders in war, can very seldom arrive at any remarkable skill in politicks, and though they should be so fortunate as to gain estates, could never be of any use as the representatives of a borough; and to what purpose should those men be advanced, who can only serve their country, but can contribute very little to the support of the court?

This is, I own, sir, an objection, which I despair of answering to the satisfaction of those by whom it will be raised. The hardy serjeant would never cringe gracefully at a levee, would never attain to any successful degree of address in soliciting votes; and if he should by mere bribery be deputed hither, would be unable to defend the conduct of his directors.

In vindication of the present scheme, I believe few of those rugged warriours would find many arguments; they would not recommend to the nation a troop of boys, under the command of boys, as the most proper forces to be sent to make conquests in distant countries, nor would imagine, that unskilful soldiers could, under the direction of officers equally ignorant with themselves, attain the knowledge of their duty in the same time as if they were incorporated with regular troops, in which every man might receive instructions, and learn his business from his comrade.

I had lately, sir, the opportunity of hearing the opinion

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of one of the greatest generals in the world, on this subject, who declared, with the utmost confidence of certainty, that raw troops could be disciplined in a short time, only by being incorporated with those that had been already taught their duty, and asserted, that with an army so mixed, he should think himself sufficiently enabled to meet any forces of the same number, and should not fear to acquit himself successfully, either in attacking or defending.

Such are the sentiments of this great man, to whom I know not whether any name can be opposed that deserves equally to be reverenced. He has had the honour of defending the rights of his country in the senate as well as in the field, has signalized himself equally in the debate and in the battle, and, perhaps, deserves less regard for having hazarded his life, than for having been divested of his employments.

Since, therefore, it is apparent that great numbers of officers are by no means necessary to success in war, since they are dangerous to our liberty in time of peace, since they are certainly expensive, and at best not certainly useful; and since the greatest general of the present age has declared, that our new levies ought to be mingled with our standing forces, I shall think it my duty to vote against the present scheme of raising new regiments, and shall agree to no other supplies than such as may be sufficient for adding the same numbers to the present army.

General WADE then spoke as follows:—Sir, though I cannot pretend to pursue the honourable gentleman through the whole compass of his argument, nor shall attempt to stand up as his rival, either in extent of knowledge, or elegance of language, yet as my course of life has necessarily furnished me with some observations relating to the question before us, and my present station in the army may, in some measure, be said to make it my duty to declare my opinion, I shall lay before the house a few considerations, with the artless simplicity of a plain soldier, without engaging in a formal debate, or attempting to overthrow the arguments of others.

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It is observed, sir, that for the greatest part, the farther any man has advanced in life, the less confidence he places in speculation, and the more he learns to rest upon experience as the only sure guide in human affairs; and as the transactions in which he is engaged are more important, with the greater anxiety does he inquire after precedents, and the more timorously does he proceed, when he is obliged to regulate his conduct by conjecture or by deliberation.

This remark, sir, though it may be just with regard to all states of life, is yet more constantly and certainly applicable to that of the soldier; because, as his profession is more hazardous than any other, he must with more caution guard against miscarriages and errours. The old soldier, therefore, very rarely ventures beyond the verge of experience, unless in compliance with particular accidents, which does not make any change in his general scheme, or in situations where nothing can preserve him but some new stratagem or unprecedented effort, which are not to be mentioned as part of his original plan of operation, because they are produced always by unforeseen emergencies, and are to be imputed not to choice but to necessity; for, in consequence of my first principle, an old soldier never willingly involves himself in difficulties, or proceeds in such a manner as that he may not expect success by the regular operations of war.

It will not, therefore, be strange, if I, who, having served in the army, in the wars of king William, may justly claim the title of an old soldier, should not easily depart from the methods established in my youth; methods of which their effects have shown me, that they at least answer the intention for which they were contrived, and which, therefore, I shall be afraid of rejecting, lest those which it is proposed to substitute in their place, however probable in speculation, should be found defective in practice, and the reasonings, which, indeed, I cannot answer, should be confuted in the field, where eloquence has very little power.

The troops of Britain, formed according to the present establishment, have been found successful; they have pre-

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served the liberties of Europe, and driven the armies of France before them; they have appeared equally formidable in sieges and in battles, and with strength equally irresistible have pressed forward in the field, and mounted the breach. It may be urged, that this vigour, alacrity, and success, cannot be proved to have been produced by the number of officers by whom they were commanded; but since, on the contrary, it cannot be shown that the number of officers did not contribute to their victories, I think it not prudent to try the experiment, which, if it should succeed, as it possibly may, would produce no great advantage; and if it should fail, and that it may fail no man will deny, must bring upon us not only the expense which we are so solicitous to avoid, but disgrace and losses, a long interruption of our trade, and the slaughter of great numbers of our fellow-subjects.

Thus far, sir, I have proceeded upon a supposition that the balance of argument is equal on both sides, and that nothing could be alleged on one part but experience, or objected to the other but the want of it; but as I am now called to declare my opinion in a question relating to my profession, a question of great importance to the publick, I should think that I had not discharged my duty to my country with that fidelity which may justly be exacted from me, if I should omit any observation that my memory may suggest, by which the house may be better enabled to proceed in this inquiry.

I think it, therefore, proper to declare, that we not only, in the last great war, experienced the usefulness of numerous officers, but that we have likewise felt the want of them on a signal occasion, and that the only greatest advantage which our enemies obtained, was gained over an army rendered weak by the want of the usual number of officers. Such were the forces that were defeated at the fatal battle of Almanza, by which almost all Spain was recovered from us. And it is, sir, the opinion of very skilful commanders, that the Germans, only by having fewer officers than the French, did not succeed in those long and obstinate battles of Parma and Guastalla.

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It is, indeed, natural to imagine, that a greater number of officers must promote success, because courage is kindled by example, and it is, therefore, of use to every man to have his leader in his view. Shame, at one time, and affection at another, may produce the effects of courage where it is wanted, and those may follow their commander, who are inclined to desert their duty; for it is seldom known that, while the officers appear confident, the soldiers despair, or that they think of retreating but after the example of their leaders.

Where there are only few officers, it is apparent that more is left to chance, in which it becomes not a wise man to place any confidence; for if the officers are killed at the beginning of the action, the soldiers must become an useless, defenceless herd, without order, without unanimity, and without design; but by the present method, if an officer happens to fall, his place is immediately supplied by another, the action goes forward, and the enemy receives no advantage from confusion or delay.

I am, therefore, of opinion, that in raising troops for the expedition now intended, the established method ought to be followed, and that we ought not to hazard the success of our attempt by new regulations, of which no human sagacity can fortell the event.

Though it cannot be denied, that some addition might be made to our companies without any visible or certain inconvenience, yet the augmentation now intended is too numerous to be so incorporated without some neglect of discipline, as the officers would be charged with more men than they could properly superintend.

There is, indeed, sir, another method of incorporation, by adding new companies to each regiment; but of this method the advantage would be small, because the number of captains and inferiour officers must be the same, and the pay of only the field officers would be saved, and this trifling gain would be far over-balanced by the inconveniencies which experience has shown to arise from it. There have been regiments formed of thirteen companies, instead of ten; but it was found, that as the officers of a company

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may be over-charged with soldiers, a colonel may likewise have more companies than he can conveniently inspect, and the ancient regulation was restored, as the least liable to difficulties and objections.

Having thus endeavoured to vindicate the manner in which our new troops are proposed to be levied, it may be expected that I should now make some observations on the service in which they are to be employed, which I cannot think liable to any unanswerable objection. It is now, sir, in our choice whether we will send the new regiments abroad or keep them at home; and our choice may easily be determined by comparing the value of our colonies with that of their mother country. If it be not necessary to have any army here to defend us against insults and invasions, the question about the manner of raising or employing new regiments is superfluous, because none ought to be raised, as our old troops are sufficiently numerous for foreign service. But if the security of the nation requires an army, would it not be madness to send those troops to a distant part of the world, in which we can confide most? Would not those, who speak with such contempt of an expedition undertaken by boys, have a better reason for their censure, if only boys were stationed on our coasts to repel the veterans of France? Would not such measures animate our enemies, and invite an invasion?

It may, perhaps, be urged farther, that the troops which are sent into America, are more likely to succeed in their design, than any regiment of ancient establishment. The chief danger to be feared in that part of the world, is not from the enemy but the climate, with which young men are most able to contend, though they may not be equally qualified for attempts in which skill is equally necessary with vigour.

I am convinced, sir, that this war has hitherto been prosecuted with ardour and fidelity, and that no measures have been taken but such as experience and reason have supported, and therefore affirm, without scruple, that if we are not successful, our miscarriages must be imputed to the chance of war, from which no prudence can exempt us.

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Lord QUARENDON spoke next, in the following manner, being his first speech:—Sir, having but very lately had the honour of a seat in this assembly, I am conscious how little I am acquainted with either the subjects or forms of debate, and should, therefore, continue to listen to the sentiments of persons more experienced, with silent veneration, did I not observe with how much indulgence they are heard who mean well, however deficient in knowledge, or in eloquence.

As the honourable gentleman who spoke last, sir, professes to have formed his opinion rather from facts than arguments, I hope I shall be indulged by the house, in an attempt to examine those facts which he has produced, because I think them not sufficient to support his positions, which must, therefore, be established by some other proofs, before a decision of this question can be fixed by them.

With regard to his experience, to which undoubtedly no small degree of veneration is due, he confesses that we have tried only one of the two forms of establishment now in competition, and that, therefore, though he has had reason to approve that with which he is most acquainted, he has no certain proofs of the inefficacy or imperfection of the other.

But experience, sir, may be extended much farther than our own personal transactions, and may very justly comprehend those observations which we have had opportunities of making upon the conduct and success of others. This gentleman, though he has only commanded in the armies of Britain, has seen the forces of other nations, has remarked their regulations, and heard of their actions with our confederates in the last war; he has probably acted in conjunction, and though it is known that they differ from us in the proportion of soldiers and officers, he has mentioned no disadvantage which might be supposed to arise from their establishment, and therefore, I suppose, he cannot deny that their behaviour and success was the same with that of our own troops.

The battles of Almanza, Parma, and Guastalla, which he has particularly mentioned, were lost, as he informs us, by armies not officered according to the establishment which

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he recommends to us: but it is observable that his argument is defective in an essential part; for though he affirms that the armies which were defeated had fewer officers than the enemy, he has neither shown, nor attempted to show, that the want of officers occasioned the defeat, or that the loss would have been prevented by a greater number.

These instances, therefore, can be of no effect on the determination of the present question; for though it is certain that at Germany, and at other places, armies with few officers have lost the battle, it is not less common for those troops that are more liberally supplied, to be overthrown by others which are differently modelled.

With regard, sir, to the troops of Germany, I have heard them praised, in many parts of Europe, as not inferiour either to those of France, or of any other nation, and have been informed, that their ill success, both at Parma and Guastalla, may be justly imputed to other causes than the want of officers.

There has, perhaps, sir, seldom been an example of firmness, discipline, and resolution, beyond that which was shown by the Germans at the action of Parma, where they attacked the trenches of the French, sustained the fire of the ramparts of the city, and though they lost their commander-in-chief and two others, towards the beginning of the action, they continued the fight for eleven hours, and at last retired only at the approach of night.

At Guastalla, sir, they attacked the French in their trenches, even with forces inferiour in number, so far were they from any diffidence in the form of their establishment; and after a fight of seven hours, in which their loss was, under all their disadvantages, not greater than that of their enemies, they retreated to their former camp unmolested and unpursued. The French, sir, were preserved in both these battles, not by the number of their officers, but by their situation, by woods, cassines, ditches, and intrenchments.

Nor do I discover, sir, what can be inferred from his observation of the influence of example in time of action, but that officers should be selected with great care, and not be promoted by favour, or interest, or caprice; for an

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example of cowardice in a leader must be pernicious, in proportion as that of bravery is beneficial; and as, where more officers are supposed necessary, there is less room for choice, it must be allowed that the troops, which have more officers than other forces, are in more danger of being infected with cowardice.

It appears, therefore, to me that the expense of the present establishment is a certain evil, and that the advantages are very doubtful: it appears that the present state of the nation requires frugality, and, therefore, I shall vote for the incorporation of our new levies with the old regiments.

By this incorporation, sir, our new-levied troops will be no longer distinguished from our veterans; they will be equally acquainted with discipline, and will learn, from the conversation of their associates, a spirit of enterprise, and a contempt of danger; we may then employ forces equally formidable in all parts of the publick service, and invade the dominions of our enemies, without leaving our own country desolate.

The arguments which the honourable gentleman has offered in defence of sending our younger troops to America, which may likewise be used against an incorporation, is, in my opinion, sir, far from being conclusive; for it supposes, what will not be granted, that a cold climate may be changed for a hotter with more safety by a young than an old man. I have been told, on the contrary, that superabundant heat is the great disease of youth, and that the want of it produces most of the infirmities of age; and every one has known the lives of persons languishing with age, prolonged by a removal into warm countries. I am, therefore, of opinion, that the honourable gentleman's argument is defective in all its parts, and hope that I shall not be charged with obstinacy or perverseness for dissenting from him.

Mr. HOWE spoke next, in substance as follows:—Sir, before I engage in a discussion of the question, I cannot but think it necessary to observe, that the honourable gentleman who spoke the second in this debate, has been very far from consulting either policy or justice in his

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declamation, and that he deviated from the subject only to ridicule his country, to exalt our enemies, and depress our efforts.

He has described, sir, the British youth, the sons of noble families, and the hopes of the nation, in terms too contemptuous to be heard without indignation; he has amused himself with displaying their ignorance and their effeminacy, and has indulged his imagination in a malignant kind of gaiety, which, however it may divert himself, is very far from contributing either to the reformation or prevention of those practices which he censures.

I believe, sir, it will be granted, that nothing ought to please but in proportion to its propriety and truth; and, if we try the satire that we have lately heard, by this test, it will be found to have very little claim to applause; for our armies must be composed of the youth of the nation; and, for my part, I cannot discover what advantage we shall gain over the Spaniards, by informing them how little our troops are accustomed to danger, how short a time they have been acquainted with fatigue, how tenderly they have been nursed, how easily they may be frighted, and how certainly they will be conquered, if they but meet with opposition.

Nor, sir, is such an account of the youth of Britain more true, in my opinion, than it is prudent. I am far from discovering any such remarkable degeneracy in the age, or any great prevalence of cowardice and unmanly delicacy; nor do I doubt of hearing that our youth, if they are sent upon any expedition, have shown that the British courage is not yet extinguished, and that, if they are ranged on the plains of America, they will discover themselves the sons of those that forced those passes, and those trenches, that other troops would have failed in attempting.

That the degeneracy of the British youth, is, at least, not universal, we have just now, sir, received an incontestable proof from the gentleman who spoke last, and spoke with so much elegance of language, and justness of reasoning, as shows, that there are to be found, among

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the youth of Britain, persons very well qualified for the senate; and I have never heard that a post in the army required greater abilities.

The pleasure, however, with which I have attended to his remarks, has not so far prejudiced me in favour of his opinion, as that I shall easily consent to change that method of discipline, to which our troops have been accustomed, and of which we know by experience, that it is, at least, not less efficacious than that of any other nation. Customs, if they are not bad, are not to be changed, because it is an argument in favour of a practice that the people have experienced it, and approved it, and every change is disagreeable to those who judge only by prejudice, of whom I need not say how great is the number.

Many arguments may, sir, in my opinion, be added to our experience in favour of the present establishment. The number of officers———but I find myself unable to pursue my design, because I can no longer read my notes, which, being written by another hand, somewhat embarrass me in this decline of the light. I shall, therefore, only make some observations upon the speech of the gentleman who spoke the second in this debate, and hope that I shall be allowed to deviate from the principal question, since I do it only in pursuit of another.

He has observed, that our troopers are mounted upon horses that are of no use; a remark, sir, which I never heard from any other person, and for which, I believe, no authority can be produced: they are mounted, indeed, upon horses very different from those which are used by other nations, because scarcely any other country breeds horses of equal size and strength, and, therefore, I am informed that the French have purchased horses from this island, and believe that all the cavalry of Europe would be mounted upon our horses if they could procure them. I have been informed, that their pressure in the shock of battle is such, as no forces in the world are able to sustain; and that it was not less by the strength of our horses than the spirit of our soldiers, that the squadrons of France were, in the battle of Blenheim, pushed into the Danube.

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Nor do I less disapprove his censure of the choice which has been made of the troops intended for the American service, which, though I ardently desire its success, I cannot think of equal importance with the defence of our own country; for though we may be disgraced by a defeat, we can be endangered only by an invasion; and, therefore, I think it necessary to retain those troops on which we may best rely for the security of this island, lest our enemies should take the advantage of their absence, and set the pretender on the throne.

Sir WILLIAM YONGE next rose, and spoke to the effect following:—Sir, it is a standing maxim, both in private life and public transactions, that no man can obtain great advantages who is afraid of petty inconveniencies; and that he that will hope to obtain his end without expense, will languish for ever in fruitless wishes, and have the mortification of seeing the adventurous and the liberal enjoy that felicity, which, though it is within his reach, he is afraid of seizing.

When the depredations of the Spaniards became first the subject of our debates, nothing was heard amongst us but threats of vengeance, demands of reparation, assertions of sovereignty, and resolutions to obtain security: the importance of our commerce, the necessity of rigorous measures, the danger of pusillanimity, the meanness of negotiation, and the disadvantages of delay, were thundered from every part of the house. Every man seemed to imagine that there was no mean between victory and ruin, and that not to humble Spain was to betray our country to insults, ignominy, and slavery.

Far was I then, sir, from suspecting, that when the war, thus vehemently urged, should be declared, that the prosecution of it would produce any debates. I doubted not but that every man would be desirous of signalizing his zeal for the prosperity of commerce, by expediting the supplies, and forwarding the preparations; and that the only contention among us would be, who should appear the most ardent enemy of Spain.

But no sooner are hostilities begun against this insolent

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and oppressive nation, than those who expressed most resentment at the prudence and moderation by which they were delayed, those that accused every attempt for an accommodation, of cowardice, and charged the ministry with conniving at the rapine of pirates, begin to inquire into the necessity of the expenses occasioned by the war, to harangue on the advantages of parsimony, and to think it of more importance to ease our taxes than to subdue our enemies.

In pursuance of this new doctrine they are now endeavouring to embarrass the measures of his majesty, that they may save, according to their own computation, only thirty thousand pounds, which, in reality, I can easily show to be no more than fifteen thousand.

For the sake of this important sum, our army is to be modelled by a new regulation, and the success of the war is to be impeded, the security of our commerce to be hazarded, and our colonies are to be endangered.

Frugality is, undoubtedly, a virtue, but is, like others, to be practised on proper occasions: to compute expenses with a scrupulous nicety, in time of war, is to prefer money to safety, and, by a very perverse kind of policy, to hazard the whole for the preservation of a part.

The gentlemen, sir, who have most endeavoured to distinguish themselves as the constant opponents of the administration, have charged it, on all occasions, with giving encouragement to the Spaniards, but can charge it with nothing so likely to raise the confidence and confirm the obstinacy of the enemy, as the objections which they themselves have made to the present scheme of levying forces; for to how great a degree of poverty must they believe that nation reduced, of which the warmest patriots struggle to save a sum so inconsiderable, by an experiment of so much uncertainty? And how easily will the Spaniards promise themselves, that they shall gain the victory only by obliging us to continue in a state of war, a state which, by our own confession, we are not able to support?

Had any other argument, sir, been produced than the necessity of parsimony, it had been less dangerous to have

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agreed to this new scheme; but to adopt it only for the sake of sparing fifteen thousand pounds, would be to make ourselves contemptible, to intimidate our allies, and to unite all those against us, who are inclined to trample on misery, and to plunder weakness.

I am inclined to judge so favourably, sir, of the intentions of those whom I am now opposing, that I believe they have only used this argument, because they were able to produce no other, and that if either reason or experience had been on their side, the poverty of the nation had not been mentioned.

But the honourable gentleman, who has been so long engaged in military employments, has shown that all our success has been obtained by the present establishment, and that the battle in which we suffered most, was lost by our unfortunate deficiency of officers.

Nor do his reasons, sir, however modestly offered, deserve less regard than his experience, for he has shown that a greater number of officers naturally contribute to preserve discipline, and excite courage; and it is not necessary that a man should be much a soldier to discover, that discipline and courage united, must generally prevail.

To the examples which he has produced in favour of his opinion, it has been objected, that victories equally wonderful have been gained with fewer officers, and, by the honourable gentleman that spoke the second on this occasion, the actions of Eugene were opposed to those of the duke of Marlborough.

That victories have been gained by troops differently regulated, I cannot deny; victories have likewise been gained, sir, under every circumstance of disadvantage; victories have been gained by inferiour numbers, and by raw troops, over veteran armies, yet no prudent general ever produced these instances as arguments against the usefulness of discipline, or as proofs that superiority of numbers was no advantage.

The success of prince Eugene, in the late war, was far from convincing the British general, that the German establishment was preferable to our own; for he required

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that the Hessian troops, which were paid by Britain, should be officered like our national troops. In this he could be influenced only by his own opinion; for he neither nominated their officers, nor could advance his interest at home by creating new posts to which he did not recommend; he could, therefore, only regard the success of the war, and changed their model only because he thought it defective.

The Germans themselves, sir, are far from imagining that their armies might not be made more formidable by approaching nearer to the British methods; for one of their officers, a man of great reputation and experience, has informed me, that they were convinced of their defect, and that nothing hindered them from adding more officers, but the fear of expenses; that they imputed all their defeats to the necessity of parsimony, that their men wanted not courage but leaders, and that their enemies gained advantages merely by the superiority of their opulence.

In the late war, it was common for the auxiliary troops, when they were sent upon any expedition of importance, to be supplied with officers either from their other regiments, or by the British forces; so necessary did the duke of Marlborough think a larger number of officers in time of action, that where he could not alter the establishment, he deviated from the common methods of war, and transferred his officers occasionally into troops over which they had no settled authority.

It is, therefore, most evident, sir, that the model on which our troops are formed, was, by this great commander, preferred to that which is now so warmly recommended, and I know not why we should recede from his practice, if we are desirous of his success.

Nor can I discover, sir, any better method of selecting officers than that which has of late been followed, however some may censure or ridicule it. To advance gentlemen to command, seems to be the most likely way to unite authority with rank, for no man willingly obeys those to whom he has lately seen himself equal, or whose conduct

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in lower stations he has, perhaps, had opportunities of examining too nearly.

The distinction of birth, however chimerical in itself, has been so long admitted, and so universally received, that it is generally imagined to confer on one man an indelible and evident superiority over another, a superiority, which those who would easily imagine themselves equal in merit cannot deny, and which they allow more willingly, because, though it be an advantage to possess it, to want it cannot be justly considered as a reproach.

For this reason, sir, men cheerfully obey those to whom their birth seems to have subjected them, without any scrupulous inquiries into their virtue or abilities; they have been taught from their childhood to consider them as placed in a higher rank than themselves, and are, therefore, not disgusted at any transient bursts of impatience, or sudden starts of caprice, which would produce, at least, resentment, and, perhaps, mutiny, in men newly exalted from a low station. The more attentively, sir, we look upon the world, the more strongly shall we be convinced of the truth of these assertions, and the more evidently shall we discover the influence which operates, in a degree scarcely credible, even to those who have experienced its power, and which is, indeed, one of the chief means of subordination, by which society is held together.

Nor are officers of birth, sir, to be preferred to men who are recommended by nothing but military service, only because they are more cheerfully obeyed, but for another reason of equal importance. It has been observed, that, in reality, they discharge the duty of commanders in a manner more likely to preserve dignity and increase reverence; that they discover, on all occasions, a sense of honour, and dread of disgrace, which are not easily to be found in a mind contracted by a mean education, and depressed by long habits of subjection.

It is not, indeed, sir, universally and unvariably certain, that a man, raised from meanness and poverty, will be insolent and oppressive; nor do I doubt but there are

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many now languishing in obscurity, whose abilities might add new lustre to the highest honours, and whose integrity would very faithfully discharge the most important trust, and in their favour, wherever they can be discovered, some exceptions ought to be made; but as general rules are generally to be followed, as well in military regulations as other transactions, it will be found, upon the exactest inquiry, by no means improper to advance gentlemen to posts of command rather than private sentinels, however skilful or courageous.

It is to be considered, sir, that the present state of the continent, has for many years made it necessary to support an army, even when we are not engaged in an actual war; that this army, though of late it has, for the ease of the people, been sometimes encamped during the summer, is, for the greatest part, quartered in towns, and mingled with the rest of the community, but governed, at the same time, by the officers, and subject to the martial law. It has often been observed by those who have argued against standing forces, that this difference of government makes different societies, which do not combine in the same interest, nor much favour one another; and it is, indeed, certain, that feuds are sometimes produced, that when any private quarrel happens, either by drunkenness or accident, or claims really disputable, between a soldier and any other person, each applies for support and assistance to those in the same condition with himself, the cause becomes general, and the soldiers and townsmen are not easily restrained from blows and bloodshed.

It is true, likewise, that the rhetorick of the patriots has been so efficacious, that their arguments have been so clamorously echoed, and their weekly productions so diligently dispersed, that a great part of the nation, as men always willingly admit what will produce immediate ease or advantage, believes the army to be an useless burden imposed upon the people for the support of the ministry; that the landlord, therefore, looks upon the soldier as an intruder forced into his house, and rioting in sloth at his expense; and the farmer and manufacturer have learned

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to call the army the vermin of the land, the caterpillars of the nation, the devourers of other men's industry, the enemies of liberty, and the slaves of the court.

It is not to be supposed, sir, that the soldiers entertain the same ideas of their profession, or that they do not conceive themselves injured by such representations: they undoubtedly consider themselves as the bulwark of their country, as men selected for the defence of the rest of the community, as those who have engaged, at the hazard of their lives, to repel invasion, and repress rebellion, and who contribute more than their part to the general felicity, by securing property, and preventing danger.

It is not to be doubted, sir, but sentiments so widely different, must produce an equal contrariety of claims, and diversity of conduct: the trader imagines, that the man who subsists upon the taxes which are raised only from his labour, ought to consider himself as his inferiour, at least, if not as his hireling and his servant; the soldier wonders how he can ever conceive himself sufficiently grateful to him that has devoted his life to his defence, and to whom he must fly for protection whenever danger shall approach him, and concludes, that he has an incontestable right to the better part of that, of which the preservation of the whole depends upon him.

Thus does self-love magnify every man in his own eyes, and so differently will men determine when each is to judge in his own cause. Which of these competitors thinks most justly of his own station and character, or whether both are not mistaken in their opinion, I think it by no means necessary to decide. This, at least, is evident, that to preserve peace and harmony between two bodies of men obliged to live together with sentiments so opposite, there is required an uncommon degree of prudence, moderation, and knowledge of mankind, which is chiefly to be exerted on the part of the soldiers, because they are subject to more rigorous command, and are more easily governed by the authority of their superiours.

Let us suppose any dispute of this kind, sir, to happen

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where the soldiers were commanded only by private sentinels, disguised in the dress of officers, but retaining, what it cannot be expected that they should suddenly be able to lay aside, the prejudices which they had imbibed in the ranks, and all the ardour of trifling competition in which their station had once engaged them. What could be expected from their councils and direction? Can it be imagined that they would inquire impartially into the original cause of the dispute, that they would attend equally to the parties, endeavour, by mildness and candour, to soften the malevolence of each, and terminate the dispute by some addressful expedient, or decent accommodation? He, surely, must be very little acquainted with the vulgar notions of bravery and honour, that could form any hopes of such conduct.

The plain soldier, sir, has not accustomed himself to regulate his motions by reason, nor has learned any more of honour, than that it consists in adhering invariably to his pretensions, even though he should discover that they are false; and in resenting affronts with the utmost rigour, even when they were provoked by himself, he is taught, that it is his business to conquer in whatever cause, and that to desist from any of his attempts, or retract any of his assertions, is unworthy of a man of honour.

Warm with such notions as these, sir, would such officers, as have been recommended by the honourable gentleman, apply themselves to the termination of differences? Without any knowledge of the laws of society, without any settled ideas of the different rights of different persons, they would have nothing in view but the honour of their profession, nor endeavour to support it by any other method than that of violence. If a soldier was affronted by a farmer, they would probably lay his territories waste, and ravage his plantations like an enemy's country; if another disagreed with his landlord, they would advise him to *make good his quarters*, to invade the magazines of provision without restraint, to force the barricadoes of the cellar, and to forage in the stables without controul.

But gentlemen, sir, are proper judges of debates be-

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tween the army and the rest of the community, because they are equally related to both parties, as men who possess or expect estates, or who are allied to those whose influence arises from their property. As men bred in affluence and freedom, and acquainted with the blessings of our constitution, and the necessity of civil government, they cannot willingly contribute to the increase of the military power, and as members of the army they cannot but be desirous to support their own rank, and to hinder their profession from sinking into contempt; it is, therefore, their care to repress insolence on one part, and to prevent oppression on the other, to stop dissensions in their beginning, and reconcile all the different pretensions of Britons and soldiers.

I am, indeed, surprised, sir, to hear the promotion of serjeants recommended by the honourable gentleman who has so often strained his lungs, and exhausted his invention, to explain how much our constitution is endangered by the army, how readily those men will concur in the abolition of property who have nothing to lose, and how easily they may be persuaded to destroy the liberties of their country, who are already cut off from the enjoyment of them, who, therefore, can only behold with envy and malevolence those advantages which they cannot hope to possess, and which produce in them no other effects than a quicker sense of their own misery.

Upon what principles, sir, any gentleman can form those notions, or with what view he can so long and so studiously disperse them, it is his province to explain; for the only reason that can be offered by any other person for his incessant declamations, the desire of securing his country from the oppression of a standing army, is now for ever overthrown by this new proposal; which, if it were to be received, would in a very few years produce an army proper to be employed in the execution of the most detestable designs, an army that could be of no other use than to gratify an ambitious prince, or a wicked ministry, as it would be commanded, not by men who had lost their liberty, but by men who never enjoyed it, by men who

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would abolish our constitution without knowing that they were engaged in any criminal undertaking, who have no other sense of the enjoyment of authority than that it is the power of acting without controul, who have no knowledge of any other laws than the commands of their superiours.

To men like these, sir, to men raised up from poverty and servility to rank and power, to ignorance invested with command, and to meanness elated with preferment, would any real patriot, any zealous assertor of liberty, any inflexible enemy to the corruptions of the ministry, consign the protection of his country, and intrust to these our happiness, properties, and our lives?

Whether the honourable gentleman has changed any of the sentiments which he has hitherto appeared to admit with regard to the army, whether this new determination is only an instance of that inconsistency which is scarcely to be avoided in the vindication of a bad cause, or whether he was betrayed to it only by his hatred of the administration, which would prompt him to recant his own advice, if it should happen to be approved, I will not pretend to determine, but I must lament, on this occasion, the entertainment which the house will lose, by the eternal cessation of any harangues on the army, since he cannot now declaim on either part without contradicting his former declarations.

Nor will the honourable gentleman find less difficulty in proving, that justice, rather than policy, requires the promotion of serjeants to commissions. Military preferments are always at the disposal of the crown, nor can any right be pretended to them, but such as arises from the custom which has been generally followed in conferring them, which is not only variable at pleasure, but has never been, at any time, regularly observed. The order of rotation has been suffered sometimes to proceed, because of two persons, otherwise equal, he that has served longest may plead the most merit; but the plea of service has been always overruled by birth or powerful recommendation. And though, sir, it is natural for men disappointed to complain, yet as those officers, whose preferment has

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been delayed, were not thought, in reality, to have received any injury, their murmurs have been the less regarded.

It might be expected, sir, from a patriot, a lamenter of the degeneracy of mankind, and an inflexible opponent of corruption, that he should consider rather facts than persons, that he should regulate his decision by the unvariable principles of reason and justice, and that, therefore, he should not applaud at one time what he condemns at another.

But this gentleman seems to have established some new maxims of conduct, and, perhaps, upon new notions of morality; for he seems to imagine, that his friends may seize, as their right, what his adversaries cannot touch without robbery, though the claim of both be the same.

It is well known, sir, to the whole army, that a noble person, whose abilities are so loudly celebrated, whose virtues are so liberally praised, and whose removal from his military employments is so solemnly lamented as a publick calamity, obtained his first preferments by pretensions very different from military merit, and that at the age only of seventeen, a time of life in which, whatever might be his abilities, very little prudence or experience could be expected, he was advanced to the command of a regiment, and exalted above many officers whose known bravery and frequent hazards entitled them to favour.

I do not assert that he was undeservedly promoted, or condemn those who either solicited or granted his commission; I maintain only, that what was then reasonable and just, is not now either iniquitous or ridiculous, and different persons in the same circumstances have a right to the same treatment.

In the reign of queen Anne, a reign, sir, which every Briton recollects with so much satisfaction, and which will for ever afford examples of the wisest councils, and most successful wars, when new regiments were to be raised, it was far from being thought necessary to observe this gentleman's favourite method of rotation; posts were filled, not with the officers of other regiments, that room might be left for the promotion of serjeants, but with gentlemen

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who had never seen a battle, or learned any part of the military discipline.

But though, sir, the regulation of our army be thus violently attacked, the greatest crime of the ministry is, in this gentleman's opinion, that of levying new troops, when we have no employment for our standing forces, of laying unnecessary impositions upon the nation, and alarming with the fears of an invasion, only that the army might be increased.

On this head, sir, a declaration of the duke of Marlborough has been produced, with a great pomp of circumstances, and such a seeming accuracy of narration, that the attention of the house was engaged, and the account was received with all the solemnity of universal silence, and with the veneration due to so high an authority in a question of so much importance.

The subject is, indeed, so worthy of regard, that I think, sir, every man ought to contribute to its elucidation, and, therefore, I take the liberty of adding to the honourable gentleman's relation, what I hope will be heard with equal curiosity, the method by which that great commander proposed to put a stop to an invasion with so small a number.

He was very far, sir, from imagining that he should be able to repel them by open force, he was far from being so confident of his superiority in military skill, as to imagine that he should defeat them by stratagem, and, therefore, he designed, by burning the villages, and destroying the country, to deprive them of the means of subsistence, and harass them with famine; to hover at a distance, and cut off those parties which necessity should force out to forage, till a body of troops could be assembled sufficient to overthrow them in a battle, or to drive them back to their ships.

Such was the scheme, sir, as I have been informed, of this great man, nor, perhaps, can any other be struck out by human abilities, where greater numbers are to be opposed by smaller. But this scheme, though preferable, in the last extremities, to slavery, is such as cannot be men-

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tioned without horrour, and of which the execution ought to be avoided by every expedient that can be practised without the danger of our liberties. We ought, certainly, not to reject a nauseous medicine, by which that health is preserved, which, if lost, can only be restored by the amputation of a limb.

As it was, therefore, necessary, sir, to secure our coasts from an invasion, it was necessary to raise new troops for the American expedition; nor did this method produce any delay, for the regiments were completed a long time before the ships of war and the transports were ready to convoy and receive them, nor could the utmost ardour and diligence despatch them sooner from our coasts.

The ships, sir, were, by the violence of a frost, scarcely exampled, retained, for a long time, in the harbours, without a possibility of being put to sea; when they were all assembled at the place appointed for their conjunction, they waited for a wind; all the delay that can be objected, was produced by the seasons, of which the regulation was in no man's power.

But the time, sir, which was unwillingly spent in the camp, was not, however, lost or misemployed, for the troops were, by the order of the general, every day exercised, and instructed in the art of war, so that what was lost in time, was more than recompensed by the advantage of better discipline.

Nor did these troops appear an herd so ignorant and contemptible, as they have been represented by malicious invectives and ludicrous descriptions; there were not, indeed, among them many grey-headed warriours, nor were their former campaigns and past exploits the subjects of their conversation; but there was not one amongst them who did not appear ready to suffer, in the cause of his country, all that the most hardened veteran could undergo, or whose alacrity and eagerness did not promise perseverance in the march, and intrepidity in the battle.

Their general, sir, who saw them pursue their exercises, declared how much he was satisfied with their proficiency, applauded their appearance, and expressed his

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confidence in their courage; nor do I doubt, but our enemies will find, that it is not necessary to send out our most formidable forces to humble them, and that the youth of Britain will compensate their want of experience by their courage.

If I, sir, have been drawn aside from the present question, it is by following, perhaps, with an exactness too scrupulous, the honourable gentleman, whose propositions I have now shown to be erroneous, and whose reproaches will, I believe, now appear rather the effects of disappointment than of zeal, and, therefore, I think it now necessary to return to the business before us, the consideration of the present establishment, from which, as it was approved by the duke of Marlborough, and has been defended with very strong arguments, by one of the most experienced officers of this time, I cannot think it safe or prudent to depart.

Mr. GRENVILLE spoke next, to the following effect:—Sir, as a noble person has been frequently hinted at in this debate, to whom my relation is well known, and whom, as I know him well, I have the strongest motives to reverence and honour, I cannot forbear to give, on this occasion, an attestation which he will be allowed to deserve by all those whom interest has not blinded, and corruption depraved.

It will be allowed, sir, that he is one of those who are indebted for their honours only to merit, one whom the malice of a court cannot debase, as its favour cannot exalt; he is one of those whose loss of employments can be a reproach only to those who take them from him, as he cannot forfeit them but by performing his duty, and can only give offence by steady integrity, and a resolution to speak as he thinks, and to act as his conscience dictates.

There are, sir, men, I know, to whom this panegyrick will seem romantick and chimerical, men, to whom integrity and conscience are idle sounds, men, who are content to catch the word of their leader, who have no sense of the obligation of any law but the supreme will of him that pays them, and who know not any virtue but diligence in attendance, and readiness in obedience.

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It is surely, sir, no loss to the noble person to be debarred from any fellowship with men like these. Nothing can be more unpleasing to virtue than such a situation as lays it under a necessity of beholding wickedness that cannot be reformed; as the sight of a pesthouse must raise horrour, though we should suppose the spectator secure from the contagion.

Mr. ORD spoke next, in substance as follows:—Sir, as I cannot approve the scheme now proposed, for augmenting our forces, I shall endeavour to show why the arguments, by which it has hitherto been supported, have failed to convince me, and shall lay before the house some reasons against it, to which I shall expect an answer, before I shall think that I can agree to it, without squandering the money of which my constituents have intrusted me with the disposal.

The argument, sir, with which this motion was introduced, which is, indeed, the strongest that has yet been offered, was, that this estimate is less expensive than one that was laid before the house in a late reign, and that, therefore, it could not reasonably be charged with extravagance.

Let us now consider this argument with that care which is required by the importance of the question, let us inquire what consequences will follow from it, and to what previous suppositions it must owe its force.

The argument, sir, evidently supposes that the estimate in king William's reign was drawn up without any intention to deceive the house, or to raise money for purposes different from those for which it was really expended. But if we suppose that estimate to be fraudulently calculated, this may contain the same fallacies in a lower degree, and the only merit that can be claimed by the authors of it, will be, that they are not the most rapacious plunderers of their country, that, however they may be charged with profusion of publick money, they are yet more modest than some of their predecessors.

But it is known, sir, that in king William's reign, very few estimates were honestly computed; it is known that

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the rotation of parties, and fluctuation of measures, reduced the ministry to subsist upon artifices, to amuse the senate with exorbitant demands, only that they might obtain the necessary grants, and to pretend expenses which never were incurred, that the supplies which the publick affairs really required, might not be withheld; as fraudulent tradesmen fix immoderate prices, that the buyer may make offers proportionate to their demands.

The estimates, therefore, of that reign are of very little authority, though they might sometimes pass the house without censure; for it is to be considered, that by the frequency of new elections, the greatest part of the members were often unacquainted with the state of publick accounts, and that an army was so little known to this kingdom, that the true expense of it might easily be concealed.

Nor is this, sir, the only fallacy of this argument; for it supposes, likewise, that the nation is no less wealthy than in the time when that computation was offered, with which this is so triumphantly compared. For every man knows that publick as well as private expenses are to be proportioned to the revenue by which they are supplied, and that the charges which are easily supported at one time, may threaten ruin at another.

But unhappily, sir, it is evident, that, since the days of that sovereign, the nation has been exhausted by a long and wasteful war, and since, by a peace equally destructive, it is embarrassed with an enormous debt, and entangled in treaties, of which the support may call every day for new expenses; it has suffered since that time a thousand losses, but gained no advantage, and yet the expenses of that time are mentioned as an example to be compared with those which are proposed in this.

The difference of the condition of the British nation at those two periods of time, sir, is not less than that of the strength of the same man in the vigour of youth and the frigidity of old age, in the flush of health and the languor of disease, of the same man newly risen from rest and plenty, and debilitated with hunger and fatigue.

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To make such a comparison, sir, betrays, at least, a very criminal insensibility, of the publick misery, if it may not be charged with greater malignity. I know not whether those who shall hear of this debate, may not impute such reflections rather to cruelty than negligence, and imagine that those who squander the treasure of the nation take pleasure in reproaching that poverty which their counsels produce, and indulge their own vanity by contemplating the calamities from which they are themselves secure, and to which they are indebted for opportunities of increasing their own fortunes, and gratifying their ambition. It is evident, that an estimate which requires less than that which has been mentioned, may yet exact more than the nation can now raise, without feeling too great inconveniencies to be compensated by the advantages which can be expected from our new forces. Nor is it sufficient that it is lower than those of former times; for, as it ought to be the care of the government to preserve the ease and happiness of the people, it should be reduced in proportion to the diminution of the national wealth.

The right honourable gentleman confesses, sir, that frugality is a virtue, and his argument supposes that to contract expenses is an argument of prudent measures; why then is he afraid of carrying virtue to a greater height, of making the burden still more light, and preferring the cheapest estimate that can be proposed, when it is asserted by those whose authority is most worthy of regard, that it will produce no weakness in our troops, nor give our enemies any superiority?

I do not pretend any other skill in military affairs, than may be gained by casual conversation with soldiers, and by a cursory observation of daily occurrences; but I speak with greater confidence on this occasion, because I do not think any other qualifications necessary for the determination of this question, than a habit of just reasoning, and freedom from the prejudices of interest.

Every man knows, sir, without a military education, that it is imprudent to purchase any thing at a greater price which may be procured at a less, and that when the same

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sum will buy two things, of which one is evidently preferable to the other, the best ought to be chosen.

If the application of either of these two positions will decide this controversy, there will be no need of recurring to experience, of citing the authority of foreign commanders, of comparing the actions of the German and British generals, or of inquiring how battles have been lost, or to what victories are to be ascribed.

It is evident, sir, that the scheme now proposed, is twice as costly as that which is recommended in opposition to it, and therefore, unless it will produce twice the advantage, it must be acknowledged to be imprudently chosen. The advantage in war, is to be rated by comparing the strength of different numbers in different circumstances, and inquiring what degree of superiority will be found.

If we suppose, sir, two bodies of men, equally armed and disciplined, opposed to each other without any advantage of situation, we must conceive that neither party could be conquered, that the balance of the day must remain equal, and that the contest would continue undecided.

It cannot be objected to this supposition, sir, that no such event is recorded in history, because in war many causes really act which cannot be estimated; one army may consist of soldiers more courageous, and more confident in the justice of their cause; unforeseen accidents may operate, orders may be mistaken, or leaders may be misinformed; but all these considerations are to be set aside in speculation, because they may equally be alleged on either part.

Two bodies of men, sir, equally numerous, being, therefore, supposed equal, it is to be inquired how either may be superiour to the other. It is proposed, on one part, to produce this effect by doubling the number of officers rather than increasing that of the soldiers; on the other, to double the soldiers under the same officers, the expense being the same of both methods.

When two armies, modelled according to these different schemes, enter the field, what event can be expected? Either five thousand men, with a double number of officers,

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must be equal to ten thousand, differently regulated, or the publick has paid more for assistance of the officers than its real value, and has chosen, of two methods equally expensive, that which is least efficacious.

This, sir, is the state of the question now before us; our present deficiency is not of men but money, and we may procure ten thousand men regulated like the foreign troops, at the same expense as five thousand in the form proposed; but I am afraid that no man will be found to assert, that the addition of officers will be equivalent to a double number of soldiers.

Thus it is evident, sir, evident to demonstration, that the most expensive method is, at the same time, the least advantageous, and that the proposal of new regiments is intended to augment the strength of the ministry rather than of the army.

If we suppose, sir, what is more than any foreigner will grant, that the additional officers raise a body of five thousand men to an equality with six thousand, is not the pay of four thousand men apparently thrown away? And do not the officers receive a reward which their service cannot deserve? Would it not be far more rational to raise seven thousand, by which our army would be stronger by a seventh part, and as the pay of three thousand would be saved, the publick would be richer by almost a third.

Surely, sir, numerical arguments cannot but deserve some consideration, even from those who have learned by long practice to explain away mere probability at pleasure, to select the circumstances of complicated questions, and only to show those which may be produced in favour of their own opinions.

In the present question, sir, there is very little room for fallacy; nor do I see what remains to the decision of it, but that those gentlemen who have been acquainted with military operations, inform us, what degree of superiority is conferred by any assignable number of officers; that we may compare their service with the price, and discover whether the same money will not purchase greater advantages.

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The experience of the late war may evince, sir, that those troops which have the greatest number of officers are not always victorious; for our establishment never admitted the same, or nearly the same number with that of the French, our enemies; nevertheless, we still boast of our victories; nor is it certain that we might not have been equally successful, though the number of our officers had been yet less.

Foreigners, sir, are very far from discovering the defect of their own establishment, or imagining that they should become more formidable by imitating our methods. When I travelled, I took opportunities of conversing with the generals of those nations which are most famous for the valour of their troops, and was informed by them, that they thought a multitude of officers by no means useful, and that they were so far from desiring to see their own regulation changed, that they should make no scruple of recommending it to other nations, who, in their opinion, squandered their treasure upon useless commissions, and increased the calamities of war by unnecessary burdens.

I hope no man will think it sufficient to reply to these arguments with general assertions, or will deny the necessity of frugality, and extol the opulence of the nation, the extent of our commerce, and the happiness of our condition. Such indeed, sir, is the method of argumentation made use of by the hireling scribblers of the court, who, because they feel none of the publick calamities, represent all complaints as criminal murmurs, and charge those with sedition who petition only for relief. Wretches like these would celebrate our victories, though our country should be overrun by an invader, would praise the lenity of any government by which themselves should be spared, and would boast of the happiness of plenty, when half the people should be languishing with famine.

I do not suppose, sir, that the despicable sophistry of prostitutes like these has any effect here, nor should I have thought them worthy of the least notice, had it not been proper to inquire, whether those may not be justly suspected of some inclination to deceive, even in this assem-

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bly, by whom the most profligate of mankind are openly paid for the promulgation of falsehood, and the patronage of corruption.

It is indeed, sir, artful, in those who are daily impairing our honour and influence, to endeavour to conceal from the people their own weakness, that weakness which is so well known in foreign countries, that every nation is encouraged to insult us, and by which it may reasonably be imagined that new enemies will, in a short time, be raised.

The late changes in our military regulations have, indeed, taken away all the terrour of our arms; those troops are now no longer dreaded, by which the liberties of Europe were recovered, and the French reduced to abandon their schemes of universal empire, for the defence of their own country, because the officers by whom they were formerly conducted to glory and to victory, are now dismissed, and men advanced to their posts, who are neither feared nor known.

When the duke of Argyle was lately deprived of his command, the Spaniards could not conceal their satisfaction; they bestowed, however unwillingly, the highest panegyrick upon his bravery and conduct, by showing that he was the only Briton of whom they were afraid. Nor did their allies, the French, discover less exultation; for by them it was declared, that the nation was now disarmed, that either no war was intended, or that none could be successfully prosecuted, since, as they made no scruple to assert, though I know not whether I ought to repeat it, we have no other man capable of commanding armies, or conducting any great design.

I am informed that this illustrious warriour, whose abilities are sufficiently attested by these enemies, that have felt their prevalence, is of opinion, that the number of officers now required is not necessary, and has declared that he should with equal confidence undertake either invasion or defence, with forces modelled after the German custom; and since I have shown, that, unless the troops so regulated, are equivalent to a double number, added to the standing regiments, part of the expense of the

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officers is evidently squandered, I shall vote against the motion, unless it be proved, which I believe will not be attempted, that the force of a regiment is doubled by doubling the officers.

General WADE then spoke, to the purpose following:—Sir, the learned gentleman who spoke last, must be acknowledged to have discovered a very specious method of reasoning, and to have carried his inquiry as far as speculation without experience can hope to proceed, but has, in my opinion, admitted a false principle, by which all his argument has been perplexed.

He supposes, that the advantages must be always in proportion to the money expended in procuring them, and that, therefore, if five thousand men, raised at any given cost, will be equal to five thousand, they ought, if they are regulated according to an establishment of double the charge, to be able to encounter ten thousand.

But in this supposition, sir, he forgets that the possibility of loss is to be thrown into the balance against the advantage of the expense saved, and that though the strength of the troops be not increased in proportion to the increase of the cost, yet the additional security against a great loss may justly entitle the most expensive regulation to the preference.

Suppose five thousand men to be brought into the field against six thousand; if they can, by multiplying their officers at a double expense, be enabled to engage successfully a body superiour in number by only a sixth part, the nation may be justly said to gain all that would have been lost by suffering a defeat.

That we ought not to choose a worse method when we can discover a better, is indisputably true, but which method is worse or better, can be discovered only by experience. The last war has taught us, that our troops in their present establishment are superiour to the forces of France, but how much they might suffer by any alteration it is not possible to foresee.

Success is gained by courage, and courage is produced by an opinion of superiority; and it may easily be ima-

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gined, that our soldiers, who judge of their own strength only by experience, imagine their own establishment and discipline advanced to the highest perfection; nor would they expect any other consequences from an alteration of it, but weakness and defeats. It is, therefore, dangerous to change the model of our forces, because it is dangerous to depress the spirit of our soldiers.

Though it is confessed, sir, that the French, whose officers are still more numerous, have been conquered by our troops, it must be likewise alleged, that they had yielded us far easier victories had their officers been wanting; for to them are they indebted for their conquests wherever they have been successful, and for their resistance wherever they have been with difficulty defeated; their soldiers are a spiritless herd, and were they not invigorated by the example of their leaders, and restrained by the fear of instant punishment, would fly at the approach of any enemy, without waiting for the attack.

I cannot, therefore, sir, but be of opinion, that the necessity of a large number of officers, may be learned even from the behaviour of those troops which have been unsuccessful, since it is certain, that though they have been often overcome, they have generally resisted with great steadiness, and retired with great order.

If those, who are only speculative warriours, shall imagine that their arguments are not confuted, I can only repeat what I declared when I first attempted to deliver my sentiments in this debate, that I do not pretend to be very skilful in the arts of disputation. I, who claim no other title than that of an old soldier, cannot hope to prevail much by my oratory; it is enough for me that I am confident of confuting those arguments in the field, which I oppose in the senate.

Mr. Fox spoke next, in this manner:—Sir, I am far from thinking that this question has been hitherto fully explained by those who have either considered it only as a dispute about money, or a question merely speculative concerning the proportions between different degrees of expense, and probability of success. In a war of this kind,

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expense is the last and lowest consideration, and where experience may be consulted, the conjectures of speculation ought to have no weight.

The method, sir, by which our troops have hitherto been regulated, is well known to have produced success beyond our expectations, to have exalted us to the arbitration of the world, to have reduced the French to change their threats of forcing a monarch upon us, into petitions for peace, and to have established the liberties of almost every nation of the world that can call itself free.

Whether this method, sir, so successful, so easy, and so formidable, shall be changed, whether it shall be changed at a time when the whole continent is in commotion, and every nation calling soldiers to its standard; when the French, recovered from their defeats, seem to have forgotten the force of that hand that crushed them in the pride of victory; when they seem to be reviving their former designs, and rekindling their extinguished ambition; whether, at such a time, the regulations of our army shall be changed to save, upon the highest computation, only thirty thousand pounds, is the present question.

On such a question, sir, I cannot observe, without astonishment, any man deliberating for a single moment. To suspend our opinion in this case, would be to balance our lives, our liberties, our patrimonies, and our posterity, against thirty thousand pounds.

The effects of our present method, sir, are well known to ourselves, our confederates, our enemies, to every man that has heard the name of Blenheim and Ramillies; the consequences of the establishment, now contended for, our most experienced commanders own themselves unable to foresee, and I am far from believing that theoretical disquisitions can enable any man to make great discoveries in military affairs.

Our own inexperience of the method which is so warmly recommended, is not the strongest objection to it, though even this ought, in my opinion, to restrain us from trying it at this hazardous conjuncture. But since arguments, merely negative, may be thought over-balanced by the

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prospect of saving money, I shall lay before the house, what effects the want of officers has produced, with regard to those nations whose poverty has laid them under a necessity of parsimonious establishments.

When the Germans were defeated by the French, in the late war, I was at the Sardinian court, where the battle was, as it may easily be supposed, the reigning subject of conversation, and where they did not want opportunities of informing themselves minutely of all the circumstances which contributed to the event; it was there, sir, universally determined, that the Germans lost the day merely for want of officers.

It was observed also, sir, that some troops, which were once courted and feared by all the neighbouring potentates, had lost their reputation in later times, of which no reason could be alleged, but that they had lessened the number of their officers; such is the change in the model of the Walloons, and such is the consequence produced by it.

I am very far, sir, from thinking, that reason is not to be consulted in military operations, as in other affairs, and have no less satisfaction than the learned gentleman who spoke last but one, in clear and demonstrative deductions; but in this question, reason itself informs me, that regard ought only to be had to experience, and that authority unsupported by practice, ought to have no prevalence.

I shall, therefore, sir, make no inquiry into the abilities of the generals, by whom these contrary opinions are defended, nor draw any parallel between their actions or their knowledge. It is sufficient for me that the one is proposing a new scheme, and that the opinion of the other can plead the practice of king William, and the duke of Marlborough, and the success of the last war.

Yet, sir, if parsimony be a virtue at this time so eminently necessary, it may be urged in favour of this estimate, that it will be less expensive than those that have been formerly offered, and that as all changes ought to be gradual, this may be considered as the first step towards a general reduction of the publick charge.

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Mr. HEATHCOTE spoke to the following purpose:—Sir, it is not without astonishment, that I heard the honourable gentleman who spoke lately, conclude his remarks with an attempt to renew our apprehensions of the pretender, a chimerical invader, an enemy in the clouds, without spirit, and without forces, without dominions, without money, and without allies; a miserable fugitive, that has not a friend in this kingdom, or none but such as are exasperated by those whom the men that mention him with so much terrour are attempting to vindicate.

The vanity, sir, of such fears, the folly of admitting them, if they are real, and of counterfeiting them, if they are false, has been sufficiently exposed in this debate, by my honourable friend; but as he thought it unnecessary to employ arguments in proof of what cannot be denied, and believed it sufficient to ridicule a panick which he supposed merely political, I, who judge, perhaps, more favourably of the sincerity of some, and more tenderly of the cowardice of others, shall endeavour to show, that the frequent revolutions which have happened in this nation, afford us no reason for fearing another, equally sudden and unforeseen in favour of the pretender.

The government, sir, is always stronger, as it is complicated with the private interest of more individuals; because, though there are few that have comprehension sufficient to discern the general advantage of the community, almost every man is capable of attending to his own; and though not many have virtue to stand up in opposition to the approach of general calamities, of which every one may hope to exempt himself from his particular share, yet the most sanguine are alarmed, and the most indolent awakened at any danger which threatens themselves, and will exert their utmost power to obviate or escape it.

For this reason, sir, I have long considered the publick funds established in this nation, as a barrier to the government, which cannot easily be broken: a foreign prince cannot now be placed upon the throne, but in opposition almost to every wealthy man, who, having trusted the

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government with his money, has reposited a pledge of his own fidelity.

But to this gentleman, sir, whom I am now answering, arguments can be of very little importance, because, by his own confession, he is retained as a mere machine, to speak at the direction of another, and to utter sentiments which he never conceived, and which his hesitation and abrupt conclusion shows him to admit with very little examination. He had not even allowed himself time to know the opinion which he was to assert, or to imprint upon his memory those arguments to which he was to add the sanction of his authority. He seems to have boldly promised to speak, and then to have inquired what he was to say. Yet has this gentleman often declaimed here with all the apparent ardour of integrity, and been heard with that regard which is only due to virtue and independence.

Some of his assertions are such, however, as require confutation, which is, perhaps, more necessary since he has produced an authority for them, which many of those who heard him may think of much greater weight than his own. He affirms, that we can suffer only by an invasion, and infers from this position, that we need only to guard our own coasts. I am of an opinion very different, and having not yet prevailed upon myself to receive notes from any other person, cannot forbear to speak what I think, and what the publick prosperity requires to be generally known. We may surely suffer by many other causes, by the ignorance, or treachery, or cowardice of the ministry, by the negligence of that person to whom this gentleman was probably indebted for his notes. We may suffer by the loss of our sugar colonies, which may be justly valued at ten millions.

These plantations, which afford us almost all the profitable trade that is now left us, have been exposed to the insults of the enemy, without any other guard than two ships, almost unfit for service. They have been left to the protection of chance, with no other security, at a time when the Spaniards had fitted out a squadron, to infest and ravage our American dominions.

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The admiral, who was sent into America, was confined for almost a year in the ports, without forces, ships, or ammunition, which yet might have been sent in a few months, had not pretences of delay been studiously invented, had not the preparations been obstructed by clandestine expedients, and had not every man been tacitly assured, that he should recommend himself to his superiours, by raising difficulties, rather than by removing them.

Such was the conduct of those who now stand up in the face of their country, and, without diffidence or shame, boast of their zeal, their assiduity, and their despatch; who proclaim, with an air of triumphant innocence, that no art or diligence could have been more expeditious, and that the embarkation was only impeded by the seasons and the winds.

With assertions equally intrepid, and arguments equally contemptible, has the same person, who boasted his expedition, endeavoured to defend the establishment of new regiments, in opposition to the practice of foreign nations, and to the opinion of the greatest general among us; and, to show how little he fears confutation, has recommended his scheme on account of its frugality.

It is not to be wondered, sir, that such an orator should undertake to defend the model of the troops sent to America, that he should prefer boys to veterans, and assert the propriety of intrusting new levies to unexperienced commanders; for he has given us in this debate such proofs of controversial courage, that nothing can be now imagined too arduous for him to attempt.

His strength, sir, is, indeed, not equal to his spirit, and he is frequently unsuccessful in his most vigorous efforts, but it must be confessed that he is generally overborne only by the force of truth, by a power which few can resist so resolutely as himself, and which, therefore, though it makes no impression upon him, prevails upon others to leave him sometimes alone in the vindication of his positions.

The examples, sir, of those noble persons who were advanced early to commissions, will be produced by him

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without effect, because the cases are by no means parallel. They were not invested with command till they had spent some time in the service, and exhibited proofs of their courage and their capacity; and it cannot be doubted, but some men may discover at seventeen, more merit than others in the full strength of manhood.

But, sir, there is another consideration of more importance, which will annihilate the parallel, and destroy the argument founded upon it. At the time in which these persons were preferred, the nation had but newly seen an army, and had, therefore, very few old officers whose experience could be trusted, or whose services required to be rewarded: the ministers were obliged to select those, who, though they did not understand the military sciences, were likely to attain them in a short time, and the event has sufficiently proved, that in the choice no greater regard was paid to interest than to judgment.

It was prudent, likewise, sir, to choose young persons, supposing their abilities equal with those of others, because the nation was likely to possess them longer, and would not be reduced, by an interval of peace, to make war again with raw forces, under the direction of ignorant commanders.

But this provision, however reasonable, the wisdom of this ministry has found means to defeat, by detaining at home the disciplined troops, and depriving the most experienced generals of their commands, at a time when they are most necessary, at a time when the whole world is in arms, when the ambition of France is reviving its claims, and the Spaniards are preparing to invade our colonies.

But, sir, though our generals are discarded, we are sufficiently informed, that it is not because we are imagined to be in a state of safety; for the increase of our army betrays our fear, of which, whether it will be dispelled or increased by such measures, it is not difficult to determine.

An army thus numerous, sir, is, in the opinion of every honest Briton, of every man that reveres the constitution, or loves his liberty, an evil more to be dreaded, than any from which we can be defended by it. The most unpopu-

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lar act of the most unpopular of our monarchs, was the establishment of a standing army; nor do I know any thing to be feared from the exaltation of the dreadful pretender to the throne, but that he will govern the nation with an armed force.

If our troops continue to be increased, which we may reasonably suspect, since, if arguments like these be admitted, pretences for augmentations can never be wanting, the consequences are easily foreseen; they will grow too numerous to be quartered in the towns, and, with an affectation of easing them of such unwelcome guests, it will be proposed, that after having spent the summer in a camp, they shall retire in winter to barracks. Then will the burden of a standing army be imposed for ever on the nation; then may our liberties be openly invaded, and those who now oppress us by the power only of money, will then throw aside the mask, and deliver themselves from the constraint of hypocrisy; those who now sooth us with promises and protestations, will then intimidate us with threatenings, and, perhaps, revenge the opposition of their schemes by persecution and sequestrations.

Mr. GAGE spoke next, to the following effect:—Sir, if the weakness of arguments proved the insincerity of those who produce them, I should be inclined to suspect the advocates for the establishment of new regiments, of designs very different from the defence of their country; but as their intentions cannot be known, they cannot be censured, and I shall, therefore, confine myself to an examination of the reasons which they have offered, and the authorities which they have cited.

The German general, who has been mentioned on this occasion with so much regard, is not less known to me than to the honourable gentleman, nor have I been less diligent to improve the hours in which I enjoyed his friendship and conversation. Among other questions, which my familiarity with him entitled me to propose, I have asked him to what causes he imputed the ill success of the last war, and he frankly ascribed the miscarriages of it to the unhappy divisions by which the German councils were at that time embarrassed.

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Faction produces nearly the same consequence in all countries, and had then influenced the imperial court, as of late the court of Great Britain, to dismiss the most able and experienced commanders, and to intrust the conduct of the war to men unequal to the undertaking; who, when they were defeated for want of skill, endeavoured to persuade their patrons and their countrymen, that they lost the victory for want of officers.

They might, perhaps, think of their countrymen, what our ministers seem to imagine of us, that to gain belief among them, it was sufficient to assert boldly, that they had not any memory of past transactions, and that, therefore, they could not observe, that the same troops were victorious under Eugene, which were defeated under the direction of his successours; nor could discover that the regulation was the same, where the effects were different.

Thus, in every place, it is the practice of men in power, to blind the people by false representations, and to impute the publick calamities rather to any other cause than their own misconduct. It is every where equally their practice to oppress and obscure those who owe their greatness to their virtue or abilities, because they can never be reduced to blind obedience, or taught to be creatures of the ministry, because men who can discover truth, will sometimes speak it, and because those are best qualified to deceive others, who can be persuaded that they are contending for the right.

But it is surely time for this nation to rouse from indolence, and to resolve to put an end to frauds that have been so long known. It is time to watch with more vigilance the distribution of the publick treasure, and to consider rather how to contract the national expenses, than upon what pretences new offices may be erected, and new dependencies created. It is time to consider how our debts may be lessened, and by what expedients our taxes may be diminished.

Our taxes, sir, are such, at present, as perhaps no nation was ever loaded with before, such as never were paid to raise forces against an invader, or imposed by the insolence of victory upon a conquered people. Every gentle-

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man pays to the government more than two thirds of his estate, by various exactions.—This assertion is received, I see, with surprise, by some, whose ample patrimonies have exempted them from the necessity of nice computations, and with an affected appearance of contempt by others, who, instead of paying taxes, may be said to receive them, and whose interest it is to keep the nation ignorant of the causes of its misery, and to extenuate those calamities by which themselves are enriched.

But, sir, to endeavour to confute demonstration by a grin, or to laugh away the deductions of arithmetick, is, surely, such a degree of effrontery, as nothing but a post of profit can produce; nor is it for the sake of these men, that I shall endeavour to elucidate my assertion; for they cannot but be well informed of the state of our taxes, whose chief employment is to receive and to squander the money which arises from them.

It is frequent, sir, among gentlemen, to mistake the amount of the taxes which are laid upon the nation, by passing over, in their estimates, all those which are not paid immediately out of the visible rents of their lands, and imagining that they are in no degree interested in the imposts upon manufactures or other commodities. They do not consider that whenever they purchase any thing of which the price is enhanced by duties, those duties are levied upon them, and that there is no difference between paying ten shillings a year in land taxes, and paying five shillings in land taxes, and five shillings to manufacturers to be paid by them to the government.

It would be, in reality, equally rational for a man to please himself with his frugality, by directing half his expenses to be paid by his steward, and the event is such as might be expected from such a method of economy; for, as the steward might probably bring in false accounts, the tradesman commonly adds twopence to the price of his goods for every penny which is laid on them by the government; as it is easy to show, particularly in the prices of those two great necessaries of life, candles and leather.

Now, sir, let any gentleman add to the land tax the duties raised from the malt, candles, salt, soap, leather,

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distilled liquors, and other commodities used in his house; let him add the expenses of travelling so far as they are increased by the burden laid upon innkeepers, and the extortions of the tradesmen which the excises have occasioned, and he will easily agree with me that he pays more than two-thirds of his estate for the support of the government.

It cannot, therefore, be doubted that it is now necessary to stop in our career of expenses, and to inquire how much longer this weight of imposts can possibly be supported. It has already, sir, depressed our commerce, and overborne our manufactures, and if it be yet increased, if there be no hope of seeing it alleviated, every wise man will seek a milder government, and enlist himself amongst slaves that have masters more wise or more compassionate.

We ought to consider, sir, whether some of our present expenses are not superfluous or detrimental, whether many of our offices are not merely pensions without employment, and whether multitudes do not receive salaries, who serve the government only by their interest and their votes. Such offices, if they are found, ought immediately to be abolished, and such salaries withdrawn, by which a fund might be now established for maintaining the war, and afterwards for the payment of our debts.

It is not now, sir, in my opinion, a question whether we shall choose the dearest or the cheapest method of increasing our forces, for it seems to me not possible to supply any new expenses. New troops will require more money to raise and to pay them, and more money can only be obtained by new taxes; but what now remains to be taxed, or what tax can be increased? The only resource left us is a lottery, and whether that will succeed is likewise a lottery; but though folly and credulity should once more operate according to our wishes, the nation is, in the meantime, impoverished, and at last lotteries must certainly fail, like other expedients. When the publick wealth is entirely exhausted, artifice and violence will be equally vain. And though the troops may possibly be raised, according to the estimate, I know not how we shall pay them, or

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from what fund, yet unmortgaged, the officers who will be entailed upon us, can hope to receive their half-pay.

For my part, sir, I think the question so easy to be decided, that I am astonished to see it the subject of a debate, and imagine that the controversy might be ended only by asking the gentleman, on whose opinion all his party appear to rely, without any knowledge or conviction of their own, whether, if he were to defend a nation from its enemies, and could procure only a small sum for the war, he would not model his forces by the cheapest method.

Mr. SLOPER then spoke thus:—Sir, I cannot, without the highest satisfaction, observe any advances made in useful knowledge, by my fellow-subjects, as the glory of such attainments must add to the reputation of the kingdom which gives rise to such elevated abilities.

This satisfaction I have received from the observations of the right honourable member, whose accurate computations cannot but promise great improvements of the doctrine of arithmetick; nor can I forbear to solicit him, for the sake of the publick, to take into his consideration the present methods of traffick used by our merchants, and to strike out some more commodious method of stating the accompts between those two contending parties, debtor and creditor. This he would, doubtless, execute with great reputation, who has proved, from the state of our taxes, that new forces require new funds, and that new funds cannot be established without a lottery.

I am, indeed, inclined to differ from him in the last of his positions, and believe the nation not yet so much exhausted but that it may easily bear the expense of the war, and shall, therefore, vote for that establishment of our troops which will be most likely to procure success, without the least apprehension of being censured either by the present age, or by posterity, as a machine of the ministry, or an oppressor of my country.

General WADE spoke again, thus:—Sir, since the right honourable member has been pleased to insinuate, that by answering a plain question I may put an end to the de-

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bate, I am willing to give a proof of my desire to promote unanimity in our councils, and despatch in our affairs, by complying with his proposal.

If I were obliged with a small sum to raise an army for the defence of a kingdom, I should, undoubtedly, proceed with the utmost frugality; but this noble person's ideas of frugality would, perhaps, be very different from mine; he would think those expenses superfluous, which to me would seem indispensably necessary, and though we should both intend the preservation of the country, we should provide for its security by different methods.

He would employ the money in such a manner as might procure the greatest numbers; I should make my first inquiry after the most skilful officers, and should imagine myself obliged, by my fidelity to the nation that intrusted me with its defence, to procure their assistance, though at a high price.

It is not easy for persons who have never seen a battle or a siege, whatever may be their natural abilities, or however cultivated by reading and contemplation, to conceive the advantage of discipline and regularity, which is such, that a small body of veteran troops will drive before them multitudes of men, perhaps equally bold and resolute with themselves, if they are unacquainted with the rules of war, and unprovided with leaders to direct their motions.

I should, therefore, in the case which he has mentioned, prefer discipline to numbers, and rather enter the field with a few troops, well governed and well instructed, than with a confused multitude, unacquainted with their duty, unable to conduct themselves, and without officers to conduct them.

Mr. VINER spoke next, to the following effect:—Sir, I am not very solicitous what may be the determination of the house upon this question, because I think it more necessary to resolve against an augmentation of the army, than to inquire, whether it shall be made by one method or another.

Every addition to our troops, I consider as some approach towards the establishment of arbitrary power, as it

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is an alienation of part of the British people, by which they are deprived of the benefits of the constitution, and subjected to rigorous laws, from which every other individual is exempt.

The principal of these laws, which all the rest are intended to enforce, requires from every soldier an unlimited and absolute obedience to the commands of his officers, who hold their commission, and expect advancement, by the same compliance with the orders of the ministry.

The danger of adding to the number of men, thus separated from their fellow-subjects, and directed by the arbitrary determinations of their officers, has been often explained with great strength and perspicuity; nor should I have taken this occasion of recalling it to the attention of the house, but that I think it a consideration, to which, in all debates on the army, the first regard ought to be paid.

Colonel MORDAUNT spoke to the purpose following:—Sir, the objection which the honourable gentleman has raised, will be most easily removed, by considering the words of the act by which the military authority is established, where it is by no means declared, that either officers or soldiers are obliged indiscriminately to obey all the orders which they shall receive, but that they shall, on pain of the punishments there enacted, obey all the *lawful* orders of their commanders.

The obedience, therefore, sir, required from a soldier, is an obedience according to law, like that of any other Briton, unless it can be imagined that the word *lawful* is, in that place, without a meaning. Nor does his condition differ from that of his fellow-subjects by an exemption from any law, but by a greater number of duties, and stricter obligations to the performance of them; and I am not able to conceive how our constitution can be endangered by augmenting an army, which, as it can only act in conformity to it, can act only in defence of it.

[The question at last was put, that the new-raised troops be incorporated into the standing corps, but it passed in the negative, 232 to 166.]

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HOUSE OF LORDS, DEC. 9, 1740.

DEBATE ON TAKING THE STATE OF THE ARMY INTO CONSIDERATION.

The duke of ARGYLE rose first, and spoke to the following effect:—My lords, as the present situation of our affairs may require an augmentation of our forces, and as the success of our arms, and the preservation of our liberties, may equally depend upon the manner in which the new forces shall be raised, there is, in my opinion, no question more worthy the attention of this august assembly, than what may be the most proper method of increasing our army.

On this question, my lords, I shall offer my own sentiments with greater confidence, as there are few men who have had more opportunities of being acquainted with it in its whole extent, as I have spent great part of my life in the field and in the camp. I commanded a regiment under king William, and have long been either the first, or almost the first man in the army.

I hope, my lords, it will be allowed, without difficulty, that I have, at least, been educated in the best school of war, and that nothing but natural incapacity can have hindered me from making some useful observations upon the discipline and government of armies, and the advantages and inconveniencies of the various plans upon which other nations regulate their forces.

I have always maintained, my lords, that it is necessary, in the present state of the neighbouring countries, to keep up a body of regular troops, that we may not be less able to defend ourselves, than our enemies to attack us.

It is well known, my lords, that states must secure themselves by different means, as they are threatened by dangers of different kinds: policy must be opposed by policy, and force by force; our fleets must be increased when our neighbours grow formidable by their naval power, and armies must be maintained at a time like this, in which

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every prince on the continent estimates his greatness by the number of his troops.

But an army, my lords, as it is to be admitted only for the security of the nation, is to be so regulated, that it may produce the end for which it is established; that it may be useful without danger, and protect the people without oppressing them.

To this purpose, my lords, it is indispensably necessary, that the military subordination be inviolably preserved, and that discipline be discreetly exercised without any partial indulgence, or malicious severities; that every man be promoted according to his desert, and that military merit alone give any pretensions to military preferment.

To make the army yet more useful, it ought to be under the sole command of one man, exalted to the important trust by his known skill, courage, justice, and fidelity, and uncontrouled in the administration of his province by any other authority, a man enabled by his experience to distinguish the deserving, and invested with power to reward them.

Thus, my lords, ought an army to be regulated, to which the defence of a nation is intrusted, nor can any other scheme be formed which will not expose the publick to dangers more formidable than revolutions or invasions. And yet, my lords, how widely those who have assumed the direction of affairs have deviated from this method is well known. It is known equally to the highest and meanest officers, that those who have most opportunities of observing military merit, have no power of rewarding it; and, therefore, every man endeavours to obtain other recommendations than those of his superiours in the army, and to distinguish himself by other services than attention to his duty, and obedience to his commanders.

Our generals, my lords, are only colonels with a higher title, without power, and without command; they can neither make themselves loved nor feared in their troops, nor have either reward or punishment in their power. What discipline, my lords, can be established by men, whom those who sometimes act the farce of obedience,

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know to be only phantoms of authority, and to be restrained by an arbitrary minister from the exercise of those commissions which they are invested with? And what is an army without discipline, subordination, and obedience? What, but a rabble of licentious vagrants, set free from the common restraints of decency, exempted from the necessity of labour, betrayed by idleness to debauchery, and let loose to prey upon the people? Such a herd can only awe the villages, and bluster in the streets, but can never be able to oppose an enemy, or defend the nation by which they are supported.

They may, indeed, form a camp upon some of the neighbouring heaths, or pass in review with tolerable regularity; they may sometimes seize a smuggler, and sometimes assist a constable with vigour and success. But unhappy would be the people, who had no other force to oppose against an army habituated to discipline, of which every one founds his hopes of honour and reward upon the approbation of the commander.

That no man will labour to no purpose, or undergo the fatigue of military vigilance, without an adequate motive; that no man will endeavour to learn superfluous duties, and neglect the easiest road to honour and to wealth, merely for the sake of encountering difficulties, is easily to be imagined. And, therefore, my lords, it cannot be conceived, that any man in the army will very solicitously apply himself to the duties of his profession, of which, when he has learned them, the most accurate practice will avail him nothing, and on which he must lose that time, which might have been employed in gaining an interest in a borough, or in forming an alliance with some orator in the senate.

For nothing, my lords, is now considered but senatorial interest, nor is any subordination desired but in the supreme council of the empire. For the establishment of this new regulation, the honours of every profession are prostituted, and every commission is become merely nominal. To gratify the leaders of the ministerial party, the most despicable trifiers are exalted to an authority, and

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those whose want of understanding excludes them from any other employment, are selected for military commissions.

No sooner have they taken possession of their new command, and gratified with some act of oppression the wantonness of new authority, but they desert their charge with the formality of demanding a permission to be absent, which their commander dares not deny them. Thus, my lords, they leave the care of the troops, and the study of the rules of war, to those unhappy men who have no other claim to elevation than knowledge and bravery, and who, for want of relations in the senate, are condemned to linger out their lives at their quarters, amuse themselves with recounting their actions and sufferings in former wars, and with reading in the papers of every post, the commissions which are bestowed on those who never saw a battle.

For this reason, my lords, preferments in the army, instead of being considered as proofs of merit, are looked on only as badges of dependence; nor can any thing be inferred from the promotion of an officer, but that he is in some degree or other allied to some member of the senate, or the leading voters of a borough.

After this manner, my lords, has the army been modelled, and on these principles has it subsisted for the last and the present reign; neither myself, nor any other general officer, have been consulted in the distribution of commands, or any part of military regulations. Our armies have known no other power than that of the secretary of war, who directs all their motions, and fills up every vacancy without opposition, and without appeal.

But never, my lords, was his power more conspicuous, than in raising the levies of last year; never was any authority more despotically exerted, or more tamely submitted to; never did any man more wantonly sport with his command, or more capriciously dispose of posts and preferments; never did any tyrant appear to set censure more openly at defiance, treat murmurs and remonstrances with greater contempt, or with more confidence and security distribute posts among his slaves, without any other

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reason of preference than his own uncontroulable pleasure.

And surely no man, my lords, could have made choice of such wretches for military commands, but to show that nothing but his own private inclinations should influence his conduct, and that he considered himself as supreme and unaccountable: for we have seen, my lords, the same animals to-day cringing behind a counter, and to-morrow swelling in a military dress; we have seen boys sent from school in despair of improvement, and intrusted with military command; fools that cannot learn their duty, and children that cannot perform it, have been indiscriminately promoted; the dross of the nation has been swept together to compose our new forces, and every man who was too stupid or infamous to learn or carry on a trade, has been placed, by this great disposer of honours, above the necessity of application, or the reach of censure.

Did not sometimes indignation, and sometimes pity, check the sallies of mirth, it would not be a disagreeable entertainment, my lords, to observe, in the park, the various appearances of these raw commanders, when they are exposing their new scarlet to view, and strutting with the first raptures of sudden elevation; to see the mechanick new-modelling his mien, and the stripling tottering beneath the weight of his cockade; or to hear the conversation of these new adventurers, and the instructive dialogues of schoolboys and shopkeepers.

I take this opportunity, my lords, of clearing myself from any suspicion of having contributed, by my advice, to this stupendous collection. I only once interposed with the recommendation of a young gentleman, who had learned his profession in two campaigns among the Muscovians, and whom yet neither his own desert, nor my patronage could advance to a commission. And, I believe, my lords, all the other general officers were equally unconsulted, and would, if their advice had been asked, equally have disapproved the measures that have been pursued.

But thus, my lords, were our new regiments completed,

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in which, of two hundred and fifty officers who have subsisted upon half-pay, only thirty-six have been promoted, though surely they might have pleaded a juster claim to employment, who had learned their profession in the service of their country, and had long languished in penury, than those who had neither knowledge nor capacity, who had neither acted nor suffered any thing, and who might have been destined to the hammer or the plough, without any disreputation to their families, or disappointment to themselves.

I have been told, indeed, my lords, that to some of these officers commissions were offered, which they refused, and for this refusal every reason is alleged but the true: some, indeed, excused themselves as disabled by age and infirmities from military service; nor can any objection be made to so just a plea. For how could those be refused in their age the comforts of ease and repose, who have served their country with their youth and vigour?

Others there are, my. lords, who refused commissions upon motives very different, in which, nevertheless, some justice cannot be denied. They who had long studied and long practised their profession; they, who had tried their courage in the breach, and given proofs of their skill in the face of the enemy, refused to obey the command of novices, of tradesmen, and of schoolboys: they imagined, my lords, that they ought to govern those whom they should be obliged to instruct, and to lead those troops whom they must range in order. But they had forgot that they had outlived the time when a soldier was formed by study and experience, and had not heard, in their retreats, that a colonel or a captain was now formed in a day; and, therefore, when they saw and heard their new commanders, they retired back to their half-pay, with surprise and indignation.

But, my lords, the follies of last year cannot be easily rectified, and are only now to be exposed that they may not be repeated. If we are now to make new levies, and increase the number of our land-forces, it is, in my opinion, incumbent upon us to consider by what methods we may

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best augment our troops, and how we may be able to resist our foreign enemies, without exposing the nation to intestine miseries, and leaving our liberties at the mercy of the court.

There are, my lords, two methods of increasing our forces; the first is, that of raising new regiments; the other, of adding new men to those which already subsist.

By raising new regiments, my lords, we shall only gratify the minister with the distribution of new commissions, and the establishment of new dependents; we shall enlarge the influence of the court, and increase the charge of the nation, which is already loaded with too many taxes to support any unnecessary expense.

By the other method, of adding a hundred men to every company, we shall not only save the pay of the officers, which is no slight consideration, but what seems, if the reports raised by the ministry of our present danger be true, of far more importance, shall form the new forces with more expedition into regular troops; for, by distributing them among those who are already instructed in their duty, we shall give them an opportunity of hourly improvement; every man's comrade will be his master, and every one will be ambitious of forming himself by the example of those who have been in the army longer than themselves.

If it be objected, my lords, that the number of officers will not then bear a just proportion to that of the soldiers, it may be answered, that the foreign troops of the greatest reputation have no greater number of officers, as every one must know who is acquainted with the constitution of the most formidable armies of Europe. Those of the Prussian monarch, or of the various nations by which we were assisted in the late war, either as confederates or mercenaries, have but few officers. And I very well remember, my lords, that whenever they were joined by parties of our own nation, the inequality in the number of the officers produced contests and disputes.

The only troops of Europe, my lords, that swarm with officers, are those of France, but even these have fewer

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officers, in proportion to their private men, in time of war; for when they disband any part of their forces, they do not, like us, reduce their officers to half-pay, but add them to the regiments not reduced, that the families of their nobility may not be burdened with needy dependents, and that they may never want officers for new levies.

There are many reasons, my lords, that make this practice in France more reasonable than it would be in our kingdom. It is the chief view of their governours to continue absolute, and therefore their constant endeavour to keep great numbers in dependence; it ought to be our care to hinder the increase of the influence of the court, and to obstruct all measures that may extend the authority of the ministry, and therefore those measures are to be pursued by which independence and liberty will be most supported.

It is likewise to be remembered, my lords, that a French officer is supported with pay not much larger than that of a private soldier among us, and that, therefore, the argument which arises from the necessity of frugality is not of the same force in both nations.

There is yet another reason why the French are under the necessity of employing more officers than any other nation: the strength of their armies consists in their gentlemen, who cannot be expected to serve without some command: the common soldiers of the French army are a mean, spiritless, despicable herd, fit only to drudge as pioneers, to raise intrenchments, and to dig mines, but without courage to face an enemy, or to proceed with vigour in the face of danger.

Their gentlemen, my lords, are of a very different character; jealous of their honour, and conscious of their birth, eager of distinction, and ambitious of preferment. They have, commonly, their education in the army, and have no expectations of acquiring fortunes equal to their desires by any other profession, and are, therefore, intent upon the improvement of every opportunity which is offered them of increasing their knowledge and exalting their reputation.

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To the spirit of these men, my lords, are the French armies indebted for all their victories, and to them is to be attributed the present perfection of the art of war. They have the vigilance and perseverance of Romans joined with the natural vivacity and expedition of their own nation.

We are, therefore, not to wonder, my lords, that there is in the French armies an establishment for more gentlemen than in other countries, where the disparity between the military virtues of the higher and lower classes of men is less conspicuous. In the troops of that nation nothing is expected but from the officers, but in ours the common soldier meets danger with equal intrepidity, and scorns to see himself excelled by his officer in courage or in zeal.

We are, therefore, my lords, under no necessity of burdening our country with the expense of new commissions, which, in the army, will be superfluous, and, in the state, dangerous, as they will fill our senate with new dependents, and our corporations with new adherents to the minister, whose steady perseverance in his favourite scheme of senatorial subordination, will be, perhaps, the only occasion of these new levies, or, at least, has hindered the right application of our standing troops. For what reason, my lords, can invention or imagination assign, why the troops, who had been for some time disciplined, were not rather sent to the assistance of Vernon than the new marines, except that some of them were commanded by men who had obtained seats in the other house, and who, by their settled adherence and avowed fidelity to the minister, had recommended themselves too powerfully to be rashly exposed in the service of their country to the bullets of the Spaniards.

So great, my lords, has been the minister's regard to senatorial abilities, and so strict his gratitude to his friends, that I know of but one member of the other house that has been hazarded in this expedition, and he a hopeless, abandoned patriot, insensible of the capacity or integrity of our ministry, and whom nothing has been able to recon-

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cile to our late measures. He, therefore, who has never exerted himself in defence of the ministry, was, in his turn, thought unworthy of ministerial protection, and was given up to the chance of war without reluctance.

But I hope your lordships will concur with me in the opinion, that it is not always necessary to gratify the ministry, but that our country claims some part of our regard, and, therefore, that in establishing our army we should pursue that method which may be most accommodated to our constitution, and, instead of imitating the military policy of the French, follow the example of those nations by whose troops they have been conquered.

Had this scheme been hitherto followed, had our new levies, instead of being put under the command of boys, been distributed in just proportions among the standing regiments, where they might soon have been qualified for service by the inspection of experienced officers, we might now have seen an army capable of awing the court of Spain into submission, or, if our demands had been still refused, of revenging our injuries, and punishing those who have insulted and despised us.

From an army thus raised and disciplined, detachments, my lords, ought to have been sent on board of all our fleets, and particularly that which is now stationed in the Mediterranean, which would not then have coasted about from one port to another, without hurting or frighting the enemy, but might, by sudden descents, have spread terrour through a great part of the kingdom, harassed their troops by continual marches, and, by frequent incursions, have plundered all the maritime provinces, driven the inhabitants into the inland country, and laid the villages in ashes.

There is yet, my lords, no appearance of a peace, for our success has not enabled us to prescribe terms, and I hope we are not yet fallen so low as to receive them; it is, therefore, proper to form such resolutions as may influence the conduct of the war, and enable us to retrieve the errours of our past measures.

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The minister, my lords, is not without panegyrists, who may, perhaps, endeavour to persuade us, that we ought to resign all our understandings to his superiour wisdom, and blindly trust our fortunes and our liberties to his unshaken integrity. They will, in proof of his abilities, produce the wonderful dexterity and penetration which the late negotiations have discovered, and will confirm the reputation of his integrity by the constant parsimony of all his schemes, and the unwillingness with which he at any time increases the expenses of the nation.

But, my lords, it is the great duty of your high station to watch over the administration, and to warn those, who are more immediately intrusted with the publick affairs, against measures which may endanger the safety or happiness of the nation; and, therefore, if I have proved to your lordships, that to raise new regiments is dangerous to our liberties, that a multitude of officers is of no use in war, and that an army may be more expeditiously disciplined by adding new men to every company, I hope your lordships will agree to this resolution, which I have drawn up with the utmost brevity, and of which the meaning cannot be mistaken:

"That the augmenting the army by raising regiments, as it is the most unnecessary and expensive method of augmentation, is also the most dangerous to the liberties of the nation."

The duke of NEWCASTLE next spoke, to this effect:—My lords, as my education and employments have afforded me no opportunity of acquiring any skill in military affairs, it will not be expected by your lordships, that I should be able to confute the arguments of the noble duke, whose acknowledged superiority in the art of war, and the abilities which he has displayed in the administration of every province which he has undertaken, give him a claim to the highest deference.

But, my lords, as I cannot assume the province of disputing on this question, so I cannot, without longer consideration, form any resolution concerning it; for argu-

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ments may be fallacious, which, yet, I cannot confute, and to approve without knowledge is no less weak than to censure.

There is not any present necessity, my lords, of forming a resolution on this subject; we are not now called upon particularly to consider it, and certainly it cannot be prudent, by so determinate a decision, pronounced without reflection or deliberation, to preclude a fuller examination of this important question.

Lord CARTERET rose, and spoke in this manner:—My lords, the noble duke who made the present motion has supported it by such strength of argument, and so fully explained the advantages of the method which it tends to recommend, that not only the present age, but posterity may, probably, be indebted to him, for juster notions of a military establishment, than have been yet attained even by those whose profession obliges them to such inquiries.

Nor, my lords, could we expect less from his long experience and extensive capacity; experience gained in the heat of war, and in the midst of danger; a capacity not only cultivated by solitary disquisitions in retirement and security, but exercised by difficulties, and quickened by opposition.

Such abilities, my lords, matured by such an education, have justly made the noble duke the oracle of war, and procured him the esteem and reverence of all the powers upon earth.

As I did not receive from my education any military knowledge, I am not able to add much to the arguments which your lordships have already heard; but, nevertheless, having been under the necessity of regulating the army when I had the honour to be employed in Ireland, and having made, in those countries where I transacted the business of the crown, some observations upon the different forms of military establishments, I hope I shall be allowed to offer what my experience or my remarks may suggest to me, in confirmation of the sentiments of the noble duke.

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When I was in Ireland, my lords, the troops of that kingdom consisted of twenty-one regiments, of which ten were, as last year, brought into Britain, and the Irish forces were to be filled up by new levies, which were raised in the manner now proposed, by increasing every regiment from three hundred and forty to six hundred men; so that the eleven regiments remaining composed a body of nearly the same number with the twenty-one regiments, as formerly constituted.

Of the Swedish establishment, my lords, the reputation and success of their troops are an uncontrovertible vindication, and I have often had an opportunity of comparing the number of officers with that of ours, and found their private men to be far more numerous in proportion to the officers.

In Hanover, my lords, I have seen his majesty's troops remarkable for the elegance of their appearance; and being once asked, by the commander, at what expense one of those gallant troopers and his horse was supported, was told, after confessing my ignorance, that he cost no more than fourteen pounds a-year, who could not, in this country, be maintained for less than forty.

I believe, my lords, that the French forces are not more expensive than those of Hanover, and, therefore, we are by no means to imitate their establishment, for the price of provisions and habits of life do not admit of any diminution of the pay of either our officers or soldiers, and we can only lessen our expenses by reducing their numbers, to which I shall, for my part, most willingly contribute.

But as this, my lords, is not the proper time for disbanding our forces, of which the present state of our affairs may, perhaps, demand an augmentation, it is necessary to compare the state of our forces with that of foreign troops, and supply, by prudent methods, the disadvantages to which we are subject, by the peculiar condition of our country. For, if the French can support an army at a fourth part of our expense, what must be the consequence of a war, supposing the wealth of the two nations nearly equal? It will be to little purpose that we boast, however

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justly, of the superiority of our troops; for though it should be granted that the British cannot be resisted by an equal number, yet it can never be expected that they should conquer troops four times as numerous as themselves.

Thus, my lords, it appears, with all the evidence of arithmetical demonstration, that the method now proposed is highly expedient, nor can any objection, in my opinion, be made to the resolution offered to your lordships.

That this is not a proper time for this inquiry has been, indeed, urged, but surely no time can be more proper than when we may, by a resolution unanimously passed, regulate, in some degree, the conduct of the other house, and hint to them the opinion of this assembly on a question which is, perhaps, to-morrow to be brought before them.

Lord CHOLMONDELEY then spoke thus:—My lords, though I was once honoured with a command in the army, and consequently ought to have attained some military knowledge, yet I have so long resigned my commission, possessed it for so short a time, and have suffered my attention to be diverted from inquiries on that subject by employments of so different a kind, that I cannot presume to oppose any knowledge of my own to the reasons which have been offered; but I cannot think that the conclusions drawn by the noble duke, are so evidently true as to force conviction, and exclude all possibility of reply; nor can I conceive it consistent with the dignity of this assembly, to yield implicitly to any man's assertions, or to pass any resolution without an accurate inquiry.

Some objections, my lords, arise, upon reflection, from my narrow observation and transient reading, and these I shall lay before your lordships, with an open acknowledgment of my insufficiency to discuss the question, and a sincere desire of being instructed where I may be mistaken.

The subordination of the army, my lords, appears to me, in general, to be sufficiently maintained, nor is it ever infringed but by particular partiality, that can never be prevented, or a casual difference in the circumstances of the

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officers, which, though not relative to their military characters, will always produce some degree of influence.

I know not, my lords, how the general regulation of our forces, and the distribution of military honours, can be condemned, without extending some degree of censure to a person who ought not to be mentioned as concurring in any measures injurious to the publick. Our army, my lords, is maintained by the parliament, but commanded by the king, who has not either done or directed any thing of which his people may justly complain.

Here the duke of ARGYLE interrupted him:—My lords, it is necessary to clear myself from misrepresentations, and to preserve, at the same time, the order of this assembly, by reminding the noble lord, that his majesty is never to be introduced into our debates, because he is never to be charged with wrong; and by declaring to your lordships, that I impute no part of the errours committed in the regulation of the army to his majesty, but to those ministers whose duty it is to advise him, and whom the law condemns to answer for the consequences of their counsels.

Lord CHOLMONDELEY resumed:—My lords, if I misrepresented any assertion of the noble duke, it was by misapprehension, or failure of memory, and not by malice or design; and if in any other objections which I shall make, I shall fall into any errour of the same kind, I desire that it may be ascribed to the same cause.

The ignorance and inexperience of our present officers have been exposed with great gaiety of imagination, and with the true spirit of satirical rhetorick, nor can I presume to support them against so formidable censures. But, my lords, I cannot discover any method of protracting the lives of our old officers beyond the usual term, nor of supplying the loss of those whom death takes away from the army, but by substituting others, who, as they have seen no wars, can have little experience.

With regard to the number of officers in the foreign troops, I have been informed, that they were, by an express stipulation, to be constituted in the same manner with the British and Dutch forces.

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Then the duke of ARGYLE again interrupted him:—My lords, as it was my province in the late war to superintend the payment of the foreign troops, I may be allowed to have some knowledge of the establishment, and hope I shall not be imagined to need any information on that subject.

Lord CHOLMONDELEY said:—My lords, I do not presume to dispute any assertion of the noble duke, for whose knowledge I have the highest veneration, but only to offer such hints for inquiry as may be pursued by other lords of greater abilities, and to show, that as some difficulties may be raised, the resolution ought not to be agreed to without farther deliberation; since it not only tends to prescribe the measures which shall be hereafter taken, and prohibit a method of raising forces, which, when diligently examined, may, perhaps, appear most eligible, but to censure the methods, which, when they were put in practice the last year, received the approbation of all the powers of the legislature.

Lord WESTMORELAND spoke next, as follows:—My lords, I have, for my own satisfaction, stated the difference of the expense between the two methods of raising forces, and find it so great, that the method proposed by the noble duke ought, undoubtedly, to be preferred, even though it were attended with some inconvenience, from which he has shown it to be free.

Frugality, my lords, is one of the chief virtues of an administration; a virtue without which no government can be long supported: the publick expense can never be too accurately computed, or the first tendency to profusion too rigorously opposed; for as in private life, so in political economy, the demands of necessity are easily supplied; but if once the calls of wantonness and caprice are complied with, no limits can be fixed, nor will any treasure be sufficient.

Whether the burdens under which the people are now toiling were all imposed by necessity, I will not inquire, but I think, my lords, we may readily determine, that whatever is not necessary is cruel and oppressive, and

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that, therefore, since the expense of raising new regiments appears, at least, not to be necessary, it ought to be opposed; and how can it be opposed more properly or effectually than by the noble duke's resolution?

Lord HERVEY spoke to this effect:—My lords, I do not claim any superiority of knowledge in any affairs that relate to the publick, but have less acquaintance with the military establishment than with any other part of the government, and can, therefore, neither oppose the resolution now offered to your lordships by such arguments as may deserve your attention, nor agree to it with that degree of conviction which the importance of it seems to require.

That the chief argument which has been produced against raising new regiments, is less formidable than it has been represented, will, I believe, appear to your lordships, when it is considered that the officers are always gentlemen of the first families in the empire, who, therefore, cannot be supposed voluntarily to give up their relations and posterity to the power of any ministry, or, for the sake of their commissions, to betray that constitution by which their own properties are secured.

Whether every other argument may not with equal justice be controverted, is not, without longer consideration, possible to be determined, and, therefore, it cannot be reasonably expected that we should agree to the resolution, which would be only to decide without examination, and to determine what we don't understand; for I am under no apprehension of being imagined to reflect unjustly on this assembly, in supposing that many of your lordships may be strangers to the question, which, when the last levies were made, was neither discussed nor proposed.

I therefore move, that the previous question may be put, which may, perhaps, gain time sufficient for a more exact inquiry upon this important subject.

Lord TALBOT replied to this purport:—My lords, if, in imitation of some noble lords, I profess my ignorance of the subject on which I am to speak, may it not yet be

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allowed me, after the example of others, to employ the little knowledge which I have in the defence of a resolution, which appears to have no other tendency than the advantage of the publick, and to show my zeal for the happiness of my country, though, perhaps, without the true knowledge of its interest?

The noble lord, who spoke last, is too great a master of eloquence not to be heard with all the attention which pleasure naturally produces, and a reasoner too formidable not to raise in his hearers all the anxiety which is produced by the fear of being deceived by partial representations, and artful deductions. I am always afraid, my lords, lest errour should appear too much like truth in the ornaments which his lordship's imagination may bestow, and lest sophistry should dazzle my understanding whilst I imagine myself only guided by the light of reason.

I shall, therefore, endeavour, my lords, to review his ornaments, and try whether they owe their influence to the force of truth, or to that of eloquence.

His lordship has observed, that the objections which are now made to the method of raising new regiments, were not produced last year upon a like occasion. I know not, indeed, what can be inferred from this assertion; for, surely, it will not maintain, that an errour, once admitted, is to become perpetual.

But, my lords, another reason may be assigned, for which the objections that occurred last year might not be produced. The ministry, after a long course of disgraceful negotiations, and artful delays, were, at length, compelled to a war, by the general clamours of the whole nation; but they acted as men unwilling to execute what they did not approve. They proceeded so slowly in their preparations, and were so languid in all their motions, that it was evident how willingly they would have improved every opportunity of retarding the vengeance which they were forced to threaten; and with what artifices they would have protracted any delay, which they could have imputed to those by whom they were opposed. It was, therefore, to the last degree, improper to embarrass their measures

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of themselves sufficiently perplexed, or to lay any obstacle in the way of those who would gladly be stopped.

That the army is filled with gentlemen, is so far, my lords, from proving that there is nothing to be feared from it, that it is the only foundation of all our solicitude. For none but gentlemen can injure our liberties, and while the posts of the army are bestowed as rewards of senatorial slavery, gentlemen will always be found who will be corrupted themselves, and can corrupt a borough; who will purchase a vote in the house, and sell it for military preferments. By the posts of the army the senate may be corrupted, and by the corruption of the senate the army be perpetuated.

Those, my lords, who are the warmest opponents of the army, apprehend not any danger from their swords, but from their votes. As they have been of late regulated without discipline or subordination, I should not feel such anxiety at seeing them led on by their new commanders against a body of honest ploughmen, united in the cause of virtue and of liberty; I should, with great alacrity, draw my sword against them, and should not doubt of seeing them in a short time heaped upon our fields.

But, my lords, they are employed to ruin us by a more slow and silent method; they are directed to influence their relations in the senate, and to suborn the voters in our small towns; they are dispersed over the nation to instil dependence, and being enslaved themselves, willingly undertake the propagation of slavery.

That the army is instrumental in extending the influence of the ministry to the senate, cannot be denied, when military preferments are held no longer than while he that possesses them gives a sanction, by his vote, to the measures of the court; when no degree of merit is sufficient to balance a single act of senatorial opposition, and when the nation is rather to be left to the defence of boys, than the minister be suspected of misconduct.

Could either bravery or knowledge, reputation, or past services, known fidelity to his majesty, or the most conspicuous capacity for high trust, have secured any man in

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the enjoyment of his post, the noble duke who made the motion, had carried his command to his grave, nor had the nation now been deprived either of his arms, or of his counsels.

But, as he has now offered his advice to his country, and supported his opinion with proofs from reason and experience, which even those who oppose them have confessed themselves unable to answer; as the justness of his reasoning, and the extent of his knowledge, have silenced those whose prejudices will not suffer them to own themselves convinced; let us not, my lords, reject what we cannot condemn, nor suffer our country to be defrauded of the advantage of this resolution, by that low senatorial craft, the previous question.

Then the CHANCELLOR spoke to the following purpose:—My lords, I am far from suspecting that an open profession of my inability to examine the question before us, in its full extent, will be imputed to an affectation of modesty, since any knowledge of military affairs could not be acquired in those stations in which I have been placed, or by those studies, in which the greatest part of my life is known to have been spent.

It will not be expected, my lords, that I should attempt a formal confutation of the noble duke's positions, or that I should be able to defend my own opinion against his knowledge and experience; nor would I, my lords, expose myself to the censure of having harangued upon war in the presence of Hannibal.

The noble duke has explained his sentiments to your lordships with the utmost accuracy of method, and the most instructive perspicuity of language; he has enforced them with a strength of reasoning rarely to be found, and with an extent of knowledge peculiar to himself. Yet, my lords, as his arguments, however powerful in themselves, do not strike me with the same force with which others may be affected, who are more capable of receiving them, I hope that your lordships will allow me to mention such objections as occur to me, that in voting on this question I may, at least, preserve my conscience from viola-

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tion, and neither adopt the opinion of another, however great, without examination, nor obstinately reject the means of conviction.

Every lord who has spoken either in support of the noble duke's opinion, or in opposition to it, has confessed that he is very little acquainted with the subject of our debate; and it may not, therefore, be an improper or useless attempt, if I endeavour by objections, however injudicious, or by arguments, however inconclusive, to procure some illustration of a question so important, and, at the same time, so little understood.

The objections, my lords, which I shall produce, are such as I have heard in conversation with those whose long acquaintance with military employments give them a just claim to authority in all questions which relate to the art of war; among whom I find no uniformity of opinion with regard to the most proper method of augmenting our forces. And, my lords, when we observe those to differ in their sentiments, whose education, experience, and opportunities of knowledge have been nearly the same, and who have all obtained a very great degree of reputation in their profession, what can be inferred, but that the question is in its own nature obscure and difficult? That it involves a multitude of relations, and is diffused through a great variety of circumstances? And that, therefore, it is prudent for every man, who can judge only upon the authority of others, to suspend his opinion?

The chief argument, or that, at least, which impressed itself most strongly on my mind, against any innovation in our military constitution, was drawn from the success of our armies in their present form, with that proportion of soldiers and officers, which the present motion tends to abolish. Our forces, say the advocates for the present establishment, have afforded us a sufficient testimony of the propriety of their regulation, by their frequent victories over troops, whose discipline has been studied with the utmost vigilance, and which have been trained up to war with a degree of attention not disproportioned to the mighty design for which they were raised, the subjection

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of the world, and attainment of universal monarchy. These troops, who have been taught, almost from their infancy, that cowardice and flight are the greatest crimes, and persuaded, by national prejudices, and principles studiously instilled, that no foreign forces could withstand them, have fled before equal numbers of Britons, and been driven from one province to another, till, instead of grasping at general dominion, they were reduced to defend their wives and children.

How much of this success was to be ascribed to that part of the regulation which this motion proposes to be changed, it is not, my lords, within my province to determine; the great commander whom I have the honour to oppose, can best explain to your lordships the province of every officer in the field, and how far the number of inferiour officers may influence the success of a battle and the fate of a kingdom.

But to me, my lords, the establishment of our armies, comprising different views, and connecting various subordinate regulations, may be compared to a medicine composed of different ingredients, and found infallibly efficacious in a dangerous disease, in which, though some of the parts may seem to physicians of the profoundest learning, superfluous or improper, it would be no less than the folly of preferring experiments to life, to make any alteration.

The wantonness of innovation, my lords, is a dangerous disease of the mind; in a private station, it prompts men to be always discontented with what they find, and to lose the enjoyment of good in search of something better; it incites them to leave the safe and beaten tracks of life, in search of those which they imagine nearer, but which are, at best, less secure, and which generally lead them to points far different from that to which they originally intended to direct their course.

It is dangerous, my lords, to admit any alteration which is not absolutely necessary, for one innovation makes way for another. The parts of a constitution, like a complicated machine, are fitted to each other, nor can one

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be changed without changing that which corresponds to it. This necessity is not always foreseen, but when discovered by experience is generally complied with; for every man is more inclined to hazard farther changes, than to confess himself mistaken by retracting his scheme. Thus, my lords, one change introduces another, till the original constitution is entirely destroyed.

By the ambition of innovation, my lords, have almost all those empires been destroyed, of which nothing now is left but the memory. Every human establishment has its advantages and its inconveniencies, and by weak attempts to remedy these defects, which, notwithstanding the utmost attention, will embarrass the machine of government, alterations have been introduced which have been quickly followed by a total dissolution.

There seem, my lords, to be few regulations on which it is more dangerous to make experiments than on that of the armies of a nation. We are sufficiently convinced how much of success is the consequence of courage, and that courage is only an opinion of our own superiority, arising from certain circumstances, either imaginary or real.

The courage which at present animates our forces, arises, my lords, from a very proper ground, their former victories over the enemies which they are now to combat, and will, therefore, doubtless, continue while they can consider themselves as enjoying the same advantage with those particular men by whom the victories were obtained. But, my lords, if any essential part of their establishment be changed, they will be considered, both by themselves and their enemies, as a different army; they will then charge with less alacrity, and be opposed with less dejection; they will consider themselves as fighting without that certainty of success which arises from experience, and their enemies will resolve to try, by an obstinate resistance, whether they are now equally formidable as in their former state.

Thus, my lords, I have attempted, however weakly, to represent the arguments which I have heard for the continuance of the establishment, of which your lordships will

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examine the validity, and shall now proceed to consider the noble duke's system of a military subordination in time of peace.

Whether a standing army in time of peace is made necessary to the change of conduct in foreign courts, it is now useless to inquire; but it will be easily granted by your lordships, that no motive but necessity, necessity absolute and inevitable, ought to influence us to support a standing body of regular forces, which have always been accounted dangerous, and generally found destructive to a free people.

The chief reason, my lords, of the danger arising from a standing army, may be ascribed to the circumstances by which men, subject to military laws, are distinguished from other members of the same community; they are, by the nature of martial government, exposed to punishment which other men never incur, and tried by forms of a different and more rigorous kind than those which are practised by the civil power. They are, if not exempted from the jurisdiction of a magistrate, yet subject to another authority which they see more frequently and more severely exerted, and which, therefore, they fear and reverence in a higher degree. They, by entering into the army, lay aside, for the most part, all prospect of advantage from commerce or civil employments, and, in a few years, neither fear nor hope any thing but from the favour or displeasure of their own officers.

For these, my lords, or for other reasons, the soldiers have always been inclined to consider themselves as a body distinct from the rest of the community, and independent on it, a government regulated by their own laws, without regard to the general constitution of their country; they have, therefore, been ready to subvert the constitution, from which they received little advantage, and to oppress the civil magistrates, for whom they had lost their reverence.

And how soon, my lords, might such outrages be expected from an army formed after the model of the noble duke, released from the common obligations of society,

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disunited from the bulk of the nation, directed solely by their own officers, and ultimately commanded by a man who had the right of commanding no other? Would they not soon consider themselves as a separate community, whose interests were, no less than their laws, peculiar to themselves? Would they not consider him, from whom they received all their rewards, and all their punishments, as the proper object of their supreme regard, and endeavour to exalt him to the same dominion over others, which he enjoyed in regard to themselves, that they might share in his superiority?

A body of men, my lords, thus separated from the rest of the people, must consider themselves as either ennobled or degraded by such distinction, and would soon find themselves inclined to use the power of their arms, either in the exertion of their privileges, or the revenge of their disgrace. Then, my lords, would they set at defiance the laws of the nation, nor would one of these noble lords be able to disband, nor the other to resist them.

The army, my lords, is, in time of peace, then best regulated when it is kept under the strictest subordination to the civil power, that power which it is instituted to protect and to preserve.

Thus, my lords, have I examined the proposal and reasons of the noble duke, perhaps not much to the information of your lordships; but it cannot be expected that any capacity should be able, in an unexpected and sudden debate, to dispute on a subject, which the noble duke's education gave him particular opportunities of understanding far beyond almost every other man, and which he has had time to consider with respect to this present motion.

For this reason, my lords, I cannot but think the previous question highly expedient, but not for this reason alone; for as the state of the army, and the proper methods of augmenting it, are soon to be examined by the other house, to prejudice their determinations, may raise a contest about privileges, and oblige us either to persist, for our own honour, in opposition to measures necessary to the security of the publick, or, in compliance with the pre-

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sent exigence, accept their scheme, however opposite to our own resolution.

Lord CARTERET spoke in substance as follows:—My lords, the known abilities of that noble lord incline me always to hear him with uncommon expectation and attention, which seldom fail to be rewarded by such pleasure and information as few other men are able to afford. But his observations on the question before us, my lords, have only convinced me, that the greatest abilities may be sometimes betrayed into errour, and the most candid disposition be vitiated by accidental prejudices. For his own arguments neither appear just, nor his representation impartial, of those advanced in favour of the motion.

With regard to the number of officers necessary in time of war, his lordship asserted nothing from his own knowledge, nor do I believe that any other lord will imagine himself qualified to dispute with the noble duke upon questions purely military. His experience entitles him to the highest authority, in debates of this kind; and if every man has a claim to credit in his own profession, surely, he who has given evidence of his proficiency in the art of war in the eyes of the whole world, will not be denied, in this house, that superiority which would readily be allowed him in any other part of the universe.

And yet less, my lords, can it be suspected, that he intends to deceive us, than that he can be deceived himself; for not only his probity, his love of his country, and his fidelity to the crown, concur to secure him from any temptations to make an ill use of his credit, but his own interest obliges him to offer that scheme for the regulation of our forces, which, in his own opinion, will most certainly contribute to their success. For it is not to be doubted, my lords, that when we shall be engaged in war too far for negotiations and conventions, when we shall be surrounded by enemies, and terrified at the near approach of danger, he will be called upon to lead our armies to battle, and attack, once more, those enemies that have fled so often before him.

Then, my lords, if he has contributed to form a weak

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plan of our military constitution, must he atone for it with the loss of his reputation; that reputation, for which he has undergone so many fatigues, and been exposed to so many dangers.

But, my lords, it is ridiculous to suspect where nothing appears to provoke suspicion, and I am very far from imagining that the dangers of innovation, however artfully magnified, or the apprehensions of the soldiers, however rhetorically represented, will be thought of any weight.

The establishment of the army, my lords, is an innovation, and, as the noble lord has justly represented it, an innovation that threatens nothing less than the destruction of our liberties, and the dissolution of our government. Our vigilance ought, therefore, to be very anxiously employed in regulating this new part of our government, and adapting it, in such a manner, to the national constitution, that no detriment may arise from it, and that our civil rights may be protected, not oppressed, by the military power.

To this purpose, says the noble lord, the soldiers are to be restrained by a due subordination to the magistrate, a position undoubtedly true, but now superfluously urged: for it was never controverted by the noble person whose opinion he intended to oppose.

Should any man assert, my lords, that the army ought to be formed into a distinct and independent society, which should receive laws only from a council of war, and have no other governour than their officers, none should oppose such an assertion with more ardour or constancy than myself, but what was never advanced it is unnecessary to confute.

Yet, my lords, to obviate those dangers from the army which have been so strongly and justly represented, it is necessary, not only that a legal subordination to the civil authority be firmly established, but that a personal dependence on the ministry be taken away.

How readily men learn to reverence and obey those on whom their fortunes depend, has been already shown by the noble lord, and therefore it will follow, that a minister

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who distributes preferments at his pleasure, may acquire such an influence in the army, as may be employed to secure himself from justice by the destruction of liberty. And unless it can be proved, that no such minister can ever exist; that corruption, ambition, and perfidy, have place only in the military race; every argument that shows the danger of an army, dependent only on the general, will show the danger, likewise, of one dependent only on the minister.

The influence of the minister, my lords, is known to arise from the number of the officers, and to be proportioned to the value of the preferment, which it is in his power to bestow; it is, therefore, evident, by adding new officers to our army, we shall throw weight into the scale, which already is, at least, an equal balance to our constitution, and enable the ministry either to employ an army in defence of their measures, or to obtain such an influence in the senate, as shall make any other security superfluous.

Such, my lords, is the danger of a multitude of officers, a danger which surely deserves more attention than the imaginary prejudice of the soldiers in favour of the present establishment; a prejudice represented so powerful, both in our own forces, and those of our enemies, that the future success of our arms may probably depend upon it.

Surely, my lords, that cause may be allowed indefensible, which such a patron defends so weakly. What can be more chimerical than to imagine that men would lay down their arms, and forsake their standards, because there are twenty more in a company than have formerly been? That such a panick, from such a cause, was never found, I need not prove; and I scarce think it necessary to assert, that, without supposing a universal depravity of reason, it never can be found.

The establishment proposed by the noble duke, is the same with that of most foreign troops, and particularly with that of his majesty's forces in his foreign dominions, and, therefore, cannot but be approved by him, if it should be proposed by your lordships. For why should he ima-

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gine a greater number of officers necessary to the troops of Britain, than to those of any other nation.

The expediency of the motion, my lords, is, in my opinion, so obvious and incontestable, as to require no farther consideration, and, therefore, it is no argument against it, that we were not previously informed of the question.

Much less, my lords, can I discover the force of the assertion, that by such a resolution we shall excite the displeasure of the other house; we have, my lords, at least, an equal right with them to examine any position relating to the publick security, a right which we may exert with less danger of disgusting them, while they have yet formed no determination, and with less danger to the nation, than when their opinion, whatever it may be, cannot be controverted without retarding the important bill against mutiny.

We are never offended, my lords, at receiving the opinions of the other house, which we often adopt without any alteration, and often make use of for our own instruction, and now are become so contemptible as that no regard should be paid by them to our resolutions.

It is well known, my lords, that this assembly is an essential and constituent part of the legislature of this kingdom, and that we received from our ancestors a great extent of power, which it ought to be our care not to suffer to be contracted by degrees, till this assembly shall become merely formal, and sit only to ratify implicitly the determinations of the other house.

[Several other lords spoke in the debate, and the president having put the previous question, "Whether the question should be then put?" upon a division, it passed in the negative. Content, 42. Not content, 59.]

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HOUSE OF COMMONS, DECEMBER 12, 1740.

RESPECTING OFFICERS ON HALF-PAY.

Mr. SANDYS this day moved for an humble address to his majesty, that, for the future ease of his majesty's subjects, all officers now subsisting upon half-pay, etc. might be employed in the army, and supported it to the following effect:

Sir, though I have often known motions opposed without any just objections, or at least without any proof of such inconveniencies likely to arise from them, as were equivalent to the advantages which they would have produced, yet I cannot but confess, that any opposition to this will be unexpected and surprising; for it is, in my opinion, supported by every law of justice and humanity. If we regard the publick in general, it cannot but produce some alleviation of the national expense; and if we consider the particular persons to whom it immediately relates, they have certainly a just claim to that regard which it is the tendency of this motion to procure them.

To burden with superfluous officers, and unnecessary expenses, a people already overwhelmed with taxes, and overrun with the dependents on the crown, is, surely, to the highest degree cruel and absurd. And to condemn those men to contempt and penury, who have served their country with bravery and fidelity, to prefer unexperienced striplings to those commissions, which would gladly be accepted by men who have already tried their courage in the battle, and borne the fatigues of marches, and the change of climates, is surely not only to oppress the deserving, and scatter promotion without just distinction; but, what is yet more enormous, it is to wanton with the publick safety, and expose us to our enemies.

Nor does it appear to me sufficient, that the veteran officers be restored to the commissions which they formerly enjoyed; they ought, upon an augmentation of our troops, to be recompensed by some advancement for their

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services and their sufferings; the ensign ought to become a lieutenant, and the lieutenant be exalted to a captain; stations which they will surely fill with more dignity and greater abilities, than boys newly discharged from school, and intrusted with unexpected authority.

If it be reasonable, sir, that expense should be spared in a time of general poverty, if it be politick to carry on war in the manner most likely to produce success, if it be just, that those who have served their country should be preferred to those who have no merit to boast, this motion cannot be rejected.

Sir WILLIAM YONGE answered to this purpose:—Sir, to the motion now made, it will not, I believe, be objected, that it is unreasonable, or unjust, but that it is unnecessary, and that it is not drawn up with sufficient consideration.

It is unnecessary, because his majesty is advised by it to no other measures than those which he has already determined to pursue; for he has declared to me, sir, his intention of conferring the new commissions upon the officers who receive half-pay, before any other officers shall be promoted.

The motion appears to me not to be very attentively considered, or drawn up with great propriety of expression; for it supposes all the half-pay officers fit for the service, which cannot be imagined by any man, who considers that there has been peace for almost thirty years; a space of time, in which many vigorous constitutions must have declined, and many, who were once well qualified for command, must be disabled by the infirmities of age. Nor is the promotion of one of these gentlemen considered always by him as an act of favour; many of them have, in this long interval of peace, engaged in methods of life very little consistent with military employments, many of them have families which demand their care, and which they would not forsake for any advantages which a new commission could afford them, and therefore it would not be very consistent with humanity to force them into new dangers and fatigues which they are now unable to support.

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With regard to these men, compassion and kindness seem to require that they should be suffered to spend their few remaining days without interruption, and that the dangers and toils of their youth should be requited in their age with ease and retirement.

There are others who have less claim to the regard of the publick, and who may be passed by in the distribution of new preferments without the imputation of neglecting merit. These are they who have voluntarily resigned their commissions for the sake of half-pay, and have preferred indolence and retreat to the service of their country.

So that it appears, that of those who subsist upon half-pay, some are unable to execute a commission, some do not desire, and some do not deserve it; and with regard to the remaining part, which can be no great number, I have already stated the intention of his majesty, and therefore cannot but conclude that the motion is needless.

Mr. PULTENEY spoke as follows:—Sir, I know not by what fatality it is, that all the motions made by one party are reasonable and necessary, and all that are unhappily offered by the other, are discovered either to be needless, or of pernicious tendency. Whenever a question can be clouded and perplexed, the opponents of the ministry are always mistaken, confuted, and, in consequence of the confutations, defeated by the majority of votes. When truth is too notorious to be denied, and too obvious to be contested, the administration claim the honour of the first discovery, and will never own that they were incited to their duty by the remonstrances of their opponents, though they never, before those remonstrances, had discovered the least intention of performing it.

But that the motion is allowed to be just and proper, is sufficient; the importance of it will be easily discovered. For my part I shall always consider that motion as important, which tends to contract the expenses of the publick, to rescue merit from neglect, and to hinder the increase of the dependents on the ministry.

Sir ROBERT WALPOLE answered:—Sir, there is no

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temper more opposite to that incessant attention to the welfare of the publick, which is the perpetual boast of those who have signalized themselves by opposing the measures of the administration, than a lust of contradiction, and a disposition to disturb this assembly with superfluous debates.

Whether this disposition is not discovered in the reply made to the declaration of his majesty's intentions, and the confession of the propriety of the motion, let the house determine. It must surely be confessed, that it is not necessary to advise what is already determined.

Nor is it less evident, that many of the officers whose interest is now so warmly solicited, must be incapacitated by their age for service, and unable to receive any benefit from the offer of new commissions. To deny this, is to question the flux of time, or to imagine that the constitution of a soldier is exempt from its injuries.

Mr. SANDYS explained himself to this effect:—Sir, I am far from intending by this motion to fill the army with decrepit officers, or to obstruct in any manner the service of the publick; nor have I any other intention, than to secure to those whose years permit, and whose inclinations incite them to enter once more into the army, that preferment to which they have a claim, not only from their past services, but from the state of penury and obscurity in which they have languished.

I desire to preserve those, whose valour has heretofore made our nation the terrour of the world, from the mortification of seeing themselves insulted by childhood, and commanded by ignorance; by ignorance exalted to authority by the countenance of some rhetorician of the senate, or some mayor of a borough.

Whoever has observed the late distribution of military honours, will easily discover that they have been attained by qualifications very different from bravery, or knowledge of the art of war; he will find that regiments and companies are the rewards of a seasonable vote, and that no man can preserve his post in the army, whether given him as the reward of acknowledged merit, or sold him for the full

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value, any longer than he employs all his influence in favour of the ministry.

Sir ROBERT WALPOLE then said:—Sir, it has been already admitted, that the motion can only be objected to as superfluous, and, therefore, all farther debate is mere waste of time, without any prospect of advantage; nor is any thing now necessary, but to review the motion, and correct such expressions as may be thought inaccurate or improper.

That *all* the half-pay officers are not able to enter into the service, has been already shown, and, therefore, I should imagine, that, instead of *all the officers*, we might very justly substitute *officers properly qualified.*

Sir JOHN BARNARD replied:—Sir, though I cannot discover the necessity of any alteration, since it cannot be conceived that the senate can advise impossibilities, yet since so much accuracy is affected, it may be allowed that the word *all* shall be left out, as seeming to imply more than can be intended.

But the honourable gentleman is not, in my opinion, so happy in his amendment, as in his objection; for the words *properly qualified* convey to me no distinct idea. He that is *qualified* is, I suppose, *properly qualified*, for I never heard of *improper qualifications*; but if the word *properly* be omitted, I have no objection to the amendment.

This motion was agreed to.

HOUSE OF COMMONS, JAN. 24, 1740-1.

ADDRESS FOR PAPERS.

Mr. WALLER this day offered the following motion in writing, That an humble address be presented to his majesty, that he will be graciously pleased to give directions that there may be laid before this house copies of two particular letters written by his majesty's secretary of state to admiral Haddock, which had been addressed for before, and of the letters received from

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admiral Ogle mentioned therein; together with all letters written by admiral Haddock to either of his majesty's secretaries of state, concerning the said letters, and the execution of the orders contained therein.

This motion he supported by arguments to the following effect:—Sir, no man who considers the present situation of our foreign affairs, the expense and inefficacy of our military preparations, the appearance of negligence in our naval expeditions, and the general disappointment of the hopes which the nation had conceived of victories, vengeance, and reparations, can, in my opinion, doubt the expediency of the motion which I have taken the liberty to make.

When the expectations of the nation are deceived, it certainly becomes those who are deputed to watch over the prosperity of the publick, to inquire whence the disappointment proceeds, and either to inform their constituents that their uneasiness arises from their own errour, and that their hopes are destroyed because they had no rational foundation; or to detect the weak management of those by whom the publick measures have been ill-conducted, or the national treasure has been misapplied.

With regard, sir, to the present war, I know not how the nation can be charged with having formed unreasonable expectations. If they considered the speech from the throne, the most authentick declaration of the intentions of the government, they found there the warmest resentments of the injuries which they had sustained, and the strongest assurances of a vigorous prosecution of all those measures which might produce speedy recompense, and inviolable security.

If they reflect, sir, on the preparations for war, on the multitude of ships, the demand of materials for naval equipments, and the high prices at which workmen were retained, they could not but imagine that either some mighty attempt was designed, or some formidable enemy dreaded, and as they know not whom they had to fear, they ascribed the vigour of our proceedings to a resolution

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of humbling our enemies by one fatal blow, and re-establishing our naval dominion by a single effort.

And justly, sir, might they indulge this pleasing imagination; with reason might they anticipate a triumph over an enemy whose strength bears no proportion to the force that was fitted out against them, and expect that in a few months they should see the ambassadors of Spain supplicating for peace.

To raise their expectations yet higher, their trade was suspended by an embargo, long continued, and in the strictest manner enforced, and the impresses were let loose upon the sailors; they saw nothing omitted, however grievous to the nation, that could contribute to make it formidable, and bore part of the miseries of war without impatience, in hopes of being rewarded by military glory, and repaid by the plunder of Spain.

But, sir, when so long a time has elapsed, and no account is brought of either a victory or a battle, when they hear nothing but that our fleets have visited several neutral ports, and those of the enemy sailed unmolested from coast to coast, and when they are every day told of the losses of our merchants, are insulted in our own channel by the Spanish privateers, and receive no relations of our success upon the shores of our enemies, can it be wondered that they suspect the reality of our designs, or inquire whence it proceeds that their money has been wasted, their trade interrupted, and the liberty of their fellow-subjects invaded to no purpose?

But how much more justly, sir, are they inflamed when they hear of the lucky stratagems, or daring enterprises of those enemies, which a just sense of their own superiority, had induced them to consider as vanquished before the battle, and of whom they had no apprehensions but that their cowardice would always secure them from vengeance? How justly may they murmur when they read, that our fleets leave every part of the enemy's coast where their presence is necessary, and have afforded the Spaniards an opportunity of changing one port for another, as it is most convenient, and at length of joining the French

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squadrons, and sailing to the defence of their American dominions?

May they not justly, sir, require of their representatives some reason for such inexplicable conduct? May they not reasonably demand an account of the arguments which procured their approbation of measures, which, so far as they can be examined by those who have no opportunity of perusing the necessary papers, appear either cowardly or treacherous?

And what answer, sir, can we return to such remonstrances, unless this motion be agreed to? How can we appease the discontents of our constituents, or discharge the trust reposed in us, without a very minute and attentive inquiry into questions thus obscure and thus important?

Are we to tell our constituents, that we absolutely rely upon the prudence and fidelity of the ministry and admirals, and recommend to them the same implicit dependence? Are we to confess that we have now for two sessions voted in the dark, and approved what we were not suffered to examine and understand?

Such answers, sir, to questions so reasonable, will not contribute to increase the veneration of the people either for ourselves, or our constitution; and yet this answer, and this only, they can receive from us, if the papers mentioned in the motion I have made are denied.

Mr. CLUTTERBUCK replied in the following manner: —Sir, this motion, though so warmly urged, and so artfully supported, I can consider only as a repetition of a former motion which was approved by the assembly, so far as it could properly be complied with, nor was any paper then concealed which it would not have been an injury to the nation to have divulged.

If the design of this motion be to promote the success of the present war, and the zeal with which it has been pressed, be incited only by the ardour of true patriotism, I doubt not but it will easily be withdrawn by those who are now most inclined to support it, when they shall reflect that it tends to the discovery of our schemes, and to the

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overthrow of our designs, that it will expose all our consultations to our enemies, and instruct them how to annoy us with most success, and how to shelter themselves from our intended attacks.

It is the first care, sir, of every administration, that their military designs should only be discovered by the execution of them, and that their enemies, by being obliged to guard all parts, should be weak in all. If, by laying our papers before this house, the Spaniards should come to be informed against what part of their dominions our expeditions are designed, will they not increase their strength, improve their fortifications, and double their vigilance? And if we are thus obliged to form new schemes, must we not impute the defeat of the former to our own imprudent zeal, or unseasonable curiosity?

Mr. SANDYS spoke to this effect:—Sir, that we should demand the schemes laid for the future conduct of the war with Spain was never proposed, nor, as it may reasonably be concluded, ever imagined; for what is mentioned in the motion but the papers relating to the transactions of the two last years.

That it should be necessary to remind gentlemen of the difference between the *future* and the *past*, would hardly be suspected by any man not accustomed to senatorial controversies and artifices of state; and yet in the argument which has been offered against the motion, nothing has been asserted but that the orders relating to past transactions are not to be laid before us, lest the enemy should thereby gain intelligence of what we now design against them.

The necessity of secrecy in war needs not be urged, because it will not be denied; but when designs have been laid, and miscarried, the reasons of that miscarriage may surely be inquired, without danger of betraying the councils of our country.

If the negligence of our councils, and the misconduct of our commanders, has been such, that no designs have been premeditated; if a war has been carried on by chance, and nothing has succeeded, because nothing has been at-

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tempted; if our commanders have not done ill, and have only done nothing; if they have avoided loss by avoiding danger; we may surely inquire to whom such proceedings are to be imputed, whether the defeat of our designs is to be charged upon the strength of our enemy, or the cowardice of our officers; or whether the inactivity and apparent neutrality of our forces is occasioned by the negligence of our admirals, or the irresolution of our own ministry.

There have been, sir, many incidents in these two last years, of which the examination can be of very little advantage to the Spaniards. I do not know what pernicious intelligence they can glean from an inquiry into the reasons for which Haddock's fleet was divided, and Ogle sent to the defence of Minorca, or for which he afterwards returned.

Nor can I conceive that any advantage, except that of merriment and diversion, can be thrown into the hands of our enemies, though we should seriously inquire into what no man has yet pretended to understand, the wonderful escape of the Spanish squadron. A transaction on which we had dwelt long enough with that admiration which ignorance produces, and on which it may not be improper at length to enable us to reason.

This is an affair, perhaps, much better understood by our enemies than by ourselves, and surely we cannot, therefore, be afraid of informing them of it; at least since the fleet has long since sailed out, and left their coast, we can hardly be restrained in our inquiries by the fear of discovering our *future* designs.

If, therefore, it be the incontestable right of the senate to examine the conduct of publick affairs, which I suppose will scarcely be denied, this motion cannot be rejected as unseasonable, nor can the papers be refused, without increasing those suspicions which are already too prevalent throughout the nation.

Nor, indeed, for our own sakes, ought we to delay this inquiry any longer, lest by having long acted without being accountable, the minister should form a prescription

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against our privilege, and, in time, tell us in plain terms that we are his slaves, and that we are not to presume to carry our examinations, however solemn and important they may continue to appear, farther than he shall be pleased to permit; and that, whatever may be the opinion of the people that deputes us, or, whatever ancient claims we may plead to authority, we are now to consider ourselves only as the oppressors of the nation, and the panegyrists of the court.

Mr. WALPOLE next rose, and spoke to this purpose:—Sir, it cannot be denied to be reasonable that all those papers should be laid before the senate, which can be communicated without injury to the publick. Of this number we may justly imagine the orders sent to the admirals, in which the time of their departure is fixed, and many others which may be of use to inform the house, but cannot enable the enemy to judge either of our force or our designs.

But it is evident, that there must be others included in this motion, which our regard for the success of the war, and the prosperity of our country, ought to determine us to conceal, and such as are never exposed by any administration; it is, therefore, proper to limit the address to papers of a certain kind, or a certain date, which may be considered by the house without benefit to our enemies, and for the examination of which a day or two will be more than sufficient.

Mr. PULTENEY spoke in substance as follows:—Sir, I know not what number of papers the wisdom of the administration will allow us, but, if we judge by the time proposed to be spent in examination, we shall not be distracted with a great diversity of subjects; intelligence will be very penuriously dealt out, and if we submit to their choice of the writings which shall be laid before us, our inquiry will probably end without any discoveries made either by our enemies or ourselves.

But I hope, sir, we shall not be so cheaply satisfied, nor exposed by the fear of one enemy, to the insolence of another. I hope we shall resolutely continue our demands

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of information, while a single line is concealed, from which any light can be expected.

There may, indeed, be circumstances in which our demands, however loud, will necessarily be vain. It is not impossible that we may suspect those transactions of deep art, and secret contrivance, which have been the consequences of mere indolence, and want of consideration. Our great ministers have been, perhaps, only doing nothing, while we have imagined that they were working out of sight.

Misled, sir, by this notion, we may call for the orders that have been despatched in these two last years, when, perhaps, our secretaries of state have been fattening on their salaries without employment, and have slept without care, and without curiosity, while we have been congratulating ourselves upon their vigilance for our preservation.

Or if orders have been given, it is to be considered, that the end of inspecting orders is to compare them with the conduct of the admirals to whom they were directed: from this comparison, I doubt not but many gentlemen expect uncommon discoveries; but to check all unreasonable hopes before they have taken possession of their hearts, for unreasonable hopes are the parent of disappointment, I think it proper to remind them, that to draw any conclusions from the orders, it is necessary to understand them.

This consideration alone is sufficient to redress the ardour of inquiry, for every man that has had opportunities of knowing the wonderful accomplishments of our ministry, the depth of their designs, the subtilty of their stratagems, and the closeness of their reasoning, will easily conceive it probable that they might send such orders as none but themselves could understand; and what then will be the consequence of our idle curiosity, but that we be led into a labyrinth of endless conjectures? For we have long ago found that no explanations are to be expected, and that our ministry are too wise to discover their secrets to their enemies.

Let us, therefore, examine the naked facts which have fallen within our observation, and endeavour to inform

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ourselves of the meaning of these secret orders by the execution of them.

Admiral Ogle was despatched from Haddock's fleet to protect Minorca, and, in his absence, the Spanish squadron sailed away. Perhaps he was ordered to watch Ferrol and Minorca at the same time, and not understanding how that was to be done, neglected one part of his charge, by an attention to the other: as a watchman who should be employed to guard at once the bank in London, and the treasury in Westminster.

Admiral Norris, sir, sailed lately forth, I suppose, in pursuance of orders, with a very formidable fleet, and after having lost sight for some days of the British coast, sailed back again with great precipitation. Whether his orders were only to sail forth, or whether, when he examined them farther, he could not understand them, I pretend not to determine; but it may reasonably be imagined that his orders were of the same kind with those of our other admirals, because they produced the same consequences.

I have been told, that formerly our commanders were ordered to *burn, sink*, and *destroy;* and that in those times it was not uncommon for a British admiral to do much mischief with a strong fleet; but it is evident that the style is since changed, for our admirals are now very inoffensive, and go out only to come back. I, therefore, think the motion highly necessary, and such as ought to be complied with.

Admiral NORRIS here rose up, and spoke thus:—Sir, I am not conscious that my conduct in any part of my life has exposed me to be justly treated with contempt and ridicule, and what I have not deserved I will not bear.

If any gentleman in this house can accuse me of having neglected my duty, or deserted it, let him not spare insults or invectives, let him now expose my cowardice or my carelessness, let him prove me unworthy of trust or of command.

But my own conscience acquits me, and I defy any man to produce and support his accusation; nor can you, sir[a],

[a] Addressing himself to Mr. Pulteney.

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who have thus contemptuously treated me, allege any thing against me that may justify your neglect of decency: that you have transgressed the rules of decency is the softest censure that your behaviour admits, and I think it may with equal propriety be asserted, that you have broken the laws of justice.

Mr. PULTENEY replied in this manner:—Sir, I shall submit to you and all who hear me, whether I have treated the honourable gentleman's name with any contemptuous freedom of speech. The usual method of mentioning an expedition is that of naming the commander, who is not thereby necessarily included in the censure of an unsuccessful attempt, and I am very far from calling his courage and capacity into question.

Not that I shall ever think it necessary to make an apology for expressing my sentiments with freedom as a member of this house, in which I shall always speak what I think, and in what manner it shall appear to me most proper, nor shall I fear to repeat without doors what I say here.

Sir ROBERT WALPOLE next rose up, and spoke to this purpose:—Sir, as I am not acquainted with any measures pursued by the administration, which it is their particular interest to conceal, I am desirous that all papers should be laid before the house which will not afford our enemies any opportunity of obviating our designs.

What necessity there is for this address I cannot, indeed, discover, because I know not any foundation for suspicion of either negligence or treachery, which have been both insinuated in this debate.

Nor are the ministry, however ludicrously their abilities have been treated, afraid of discovering their ignorance, by laying before the house the orders which they have given to our admirals; orders of which they are far from doubting that they will appear, upon a candid examination, rational and proper.

The chief objection to this motion arises from its unreasonableness, and the necessity which it will produce of assigning to a fruitless inquiry those hours that may be more usefully employed.

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Mr. PITT replied in terms to the effect following:—Sir, it is my opinion, that our time cannot be more usefully employed during a war, than in examining how it has been conducted, and settling the degree of confidence that may be reposed in those to whose care are intrusted our reputations, our fortunes, and our lives.

There is not any inquiry, sir, of more importance than this; it is not a question about an uncertain privilege, or a law, which, if found inconvenient, may hereafter be repealed; we are now to examine whether it is probable that we shall preserve our commerce and our independence, or whether we are sinking into subjection to a foreign power.

But this inquiry, sir, will produce no great information, if those, whose conduct is examined, are allowed to select the evidence. For what accounts will they exhibit but such as have often already been laid before us, and such as they now offer without concern: accounts obscure and fallacious, imperfect and confused, from which nothing can be learned, and which can never entitle the minister to praise, though they may screen him from punishment.

Mr. PELHAM spoke as follows:—Sir, I am confident that no man engaged in the administration desires to be *screened* from the most rigorous inquiry, or would defer to exhibit the papers a moment for any other reason than his regard for the publick.

I am confident, that nothing could so much contribute to advance the particular and distinct interest of the ministry as the publication of all the writings that relate to the present war, by which it would incontestably appear that nothing has been omitted that could promote our success, that our commanders have been sent out with orders to act with the utmost vigour, and that our preparations have been not disproportioned to the importance of our design.

It will appear that no former ministry have given greater proofs of their zeal for the publick interest, or have more steadily pursued the most proper measures by which it might be advanced.

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I am not, indeed, certain that those who now call so loudly for information would be prevailed on by any degree of evidence to suspend their censures. Them, who are now dissatisfied, I shall despair of influencing by reason or testimony; for they seem to inquire only to condemn; nor is this motion, perhaps, made so much for the sake of obtaining information, as of harassing the ministry with delays, and suspending affairs of greater importance.

This motion was agreed to, and upon another motion made by Mr. Sandys, it was resolved,

"That an humble address be presented to his majesty, that he will be graciously pleased to give directions, that there may be laid before this house a copy of the reasons sent by admiral Cavendish, in pursuance of an order from the commissioners of the admiralty, which had retarded the sailing of admiral Ogle's squadron, so much beyond expectation."

Likewise,

"That an humble address be presented to his majesty, that he will be graciously pleased to give directions, that there may be laid before this house a copy of the reasons transmitted by admiral Ogle, that did prevent him from sailing, pursuant to his repeated orders for that purpose, and particularly to those sent him by the commissioners of the admiralty."

HOUSE OF COMMONS, FEB. 3, 1740-1.

Mr. Sandys this day presented a motion in writing, for petitioning his majesty to inform them when the regency received intelligence that the French and Spanish squadrons sailed, which was seconded, as follows, by Mr. WALLER:—

Sir, the information now moved for, appears to me so necessary in their deliberations on the conduct of the war, that without it we can only conjecture in the dark, and entangle ourselves in an inextricable labyrinth.

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It is well known, that in war all motions are, in a great degree, to be regulated by those of the enemy, and that, therefore, no vigilance is to be spared by which any knowledge can be gained of their designs, nor any methods omitted of communicating them to those who have the direction of the war.

A ministry may, in conducting military operations, disappoint the expectations of their country, either by neglecting to procure intelligence, or by failing to make use of those opportunities which seasonable information puts into their power, and they may, when their designs fail of success, justify themselves, by proving that they were deceived by intelligence which it was reasonable to believe, or that better intelligence was not attainable, or that they made use, however unsuccessfully, of all the forces that could then be employed, and of all the advantages that were then in their possession.

But how shall we judge of our administration, how shall we know what confidence we ought to repose in their prudence and fidelity, and what miscarriages are to be attributed to the chance of war or superiour force of our enemies, if we cannot be informed with what diligence they endeavour at information, and how early they have notice of the motions of the enemy?

The sailing, or rather escape of the Ferrol squadron, and departure of the French fleet, are the most important events of the present war; events that threaten very dangerous consequences, no less than descents upon our American colonies, the conquest of our dominions, the slavery of our fellow-subjects, and perhaps the destruction of the brave Vernon, who is secure in the imagined vigilance of the other commanders, and may, perhaps, in a few days see himself surrounded by formidable squadrons of different nations, and exposed to the attack of forces to which his little fleet bears no proportion.

Nothing appears more evident, than that we had opportunities of observing, at least, all the preparations of the French, and of watching the moment of their departure, and that our force on the coast of Spain was sufficient to

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have confined their fleets for ever in their harbours, or to have destroyed them at their first entrance into the open seas, of which we may justly inquire, why it was not attempted, but shall inquire to no purpose till we know when they departed, that we may consider the state of our own forces, and whether our enemies escaped by our negligence, cowardice, or weakness.

Mr. WINNINGTON then spoke to the following purpose:—Sir, that we cannot deliberate upon subjects which we do not understand, and that, therefore, no necessary or useful information ought to be denied to the house, I shall readily admit; but must observe, at the same time, that the reputation of the house would be very little consulted, in demanding information which cannot be given.

To address his majesty to inform us of the time at which the squadrons of our enemies sailed, is to inquire of him what it ought to be the highest care of those princes to conceal from him, and which he can only know by having spies in their privy councils.

And of what importance is it to inquire what intelligence was brought him, or when he received it, if it appears that his intelligence must be in its own nature uncertain and dubitable?

That they have left their ports is now certain, because they have been twice discovered in different parts of the world; but, as we can now only form conjectures on their designs and courses, so, before they sailed, it was impossible to know when they were fully equipped, or what time was fixed for their departure. It is to be remembered, that they form their measures, and make their preparations in their own dominions, and therefore, have more advantages of concealing their schemes than we of discovering them.

Mr. Advocate CAMPBELL then spoke thus:—Sir, this motion, which has been represented as unreasonable and absurd, is, in my opinion, not only proper, but important.

It is important, because it will enable us to judge, upon sufficient foundations, of the conduct of the ministry, who are censured by the voice of the nation, for having been

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either defective in vigilance or in activity, for having been either ignorant by their own fault of the designs of the enemy, or perfidiously passive in permitting the execution of them.

I am far from believing that such intelligence as our ministry is expected to procure, requires any uncommon subtilty, or any other agents than are always employed by every minister, to transmit to them informations from foreign courts. Such, I am afraid, are always hovering about our consultations, and I know not why our ministers should be less diligent or less successful than those of other princes.

If, therefore, such intelligence might have been obtained, it was criminal not to obtain it; and if the departure of the Spanish squadron was foreseen, it ought to be inquired, why it was not prevented; and if it was only known when it was too late to hinder it from sailing, why it was not pursued, or why succours were not immediately despatched to admiral Vernon.

All these questions can only be resolved, in consequence of the information which his majesty shall give us; and for which it is, therefore, in my opinion, necessary to petition.

Mr. HENRY PELHAM spoke next, to this purpose:—Sir, how the regency could be informed of the intention of the Spaniards to leave their ports till it appeared by their departure, or by what means it can be expected that his majesty should be now acquainted with their particular course, or farther designs, I confess myself unable to conceive.

With regard, sir, to the intelligence transmitted from foreign courts by agents and spies, a little consideration will easily discover that it is not to be trusted. For what can be generally expected from them, but that they should catch flying reports, or by chance intercept uncertain whispers, that they should inquire timorously, and, therefore, for the greatest part, of those from whom no satisfactory accounts can be received, and that they should often endeavour to deserve their salaries by such information as is rather pleasing than true.

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All the knowledge that can be obtained of an enemy's designs, must arise from a diligent comparison of one circumstance with another, and from a general view of his force, his interest, and his opportunities. And that such conjectures will be often erroneous, needs not be told.

Probability, therefore, is, in such inquiries, all that can be attained, and he that sits idle in the time of war, expecting certain intelligence, will see his enemies enjoying the advantages of his folly, and laying hold on a thousand opportunities which he has neglected to improve.

The war in which we are now engaged, has been carried on by the administration with the utmost diligence and vigour; nor have any measures been omitted that could probably produce success, and the success of the wisest measures is only probable.

Should the great admiral, who is now present in the house, have met the French and Spaniards in the open seas, by what art could he arrive at a certain knowledge of their designs? He might by his acquaintance with the situation and state of neighbouring countries, the observation of their course, the periods of particular winds, and other hints of observation, form probable conjectures, but could never reach to certainty or confidence.

It seems to me, therefore, highly improper, to petition his majesty for intelligence which he cannot be imagined to have received, and I cannot agree to any motion for that purpose.

Mr. Sandys then made another motion, to address his majesty, that there may be laid before the house copies of all letters received from, or written to, admiral Vernon since his going to the West Indies. Which being seconded,

Mr. PELHAM spoke to this effect:—Sir, this motion, if the intention of it be limited by proper restrictions, is doubtless reasonable and just; for the right of this house to examine into the conduct of publick affairs, and, consequently, for calling for the papers necessary to enlighten their inquiries, is not to be disputed.

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But, as the end of all such inquiries is the promotion of the publick welfare, so they are not to be made in a manner by which that end may be defeated. Papers are not to be demanded, which cannot be produced without discovering our own secrets, and acquainting our enemies either with that weakness which we ought carefully to conceal, or that force which will be most effectually employed if it is not known, and, therefore, no preparations are made to oppose it.

It cannot be imagined, but that many of the papers which have passed between the admiralty and the commander in America, contain plans for the prosecution of the war, observations on the conditions of our own colonies, and, perhaps, intelligence of the estate of the Spanish fortresses and towns. Many informations of the utmost consequence to our enemies may be collected from those papers, but nothing can be expected from them, that will enable us to prosecute a senatorial inquiry with more success, that will put it in our power to discover frauds, negligence, or treachery.

There are, sir, other papers which may, indeed, be laid before us, without any benefit to our enemies, and, perhaps, with some advantage to ourselves; the papers which contain the accompts of our preparations and stores, the lists of our forces, and the calculation of our expenses, are the proper subjects of senatorial inquiries; and if the motion be restrained to those, I believe it will not be opposed by any gentleman engaged in the administration of our affairs. I shall beg leave to propose these words may be added, "So far as the same relates to a supply of ships, marines, or land forces."

The motion, thus amended, was agreed to.

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HOUSE OF LORDS, FEB. 13, 1740-1.

DEBATE ON ADDRESSING HIS MAJESTY FOR REMOVING SIR ROBERT WALPOLE.

The opposition which for a long time had been made in the commons, to the measures of the administration, was on this day pushed to a crisis, and produced a motion in both houses. In the house of lords it occasioned the following debate:

Lord CARTERET began in this manner:—My lords, as the motion which I am about to make is of the highest importance, and of the most extensive consequences; as it cannot but meet with all the opposition which the prejudices of some, and the interest of others, can raise against it; as it must have the whole force of ministerial influence to encounter, without any assistance but from justice and reason; I hope to be excused by your lordships for spending some time in endeavouring to show, that it wants no other support, that it is not founded upon doubtful suspicions, but upon uncontestable facts; that it is not dictated by private interest, but by the sincerest regard to publick happiness; not abetted by the personal malevolence of particular men, but enforced by the voice of the people; a voice which ought always to be attended to, and, generally, to be obeyed.

To endeavour, my lords, to remove from places of publick trust all those who appear to want either the virtues or abilities necessary for executing their offices, is the interest of every member of a community. And it is not only the interest but the duty of all those who are, either by the choice of the people, or by the right of birth, invested with the power of inspecting publick affairs, and intrusted with the general happiness of their country. That, therefore, every motive combines to make it the duty, and every argument concurs to prove it the privilege of your lordships, is too evident to be doubted.

How often this privilege has been exerted by this house, and how often it has rescued our country from oppression, insolence, and rapine; how often our constitution has been

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reanimated, and impending ruin been averted by it, a superficial acquaintance with history may inform us. And we are now called upon by the universal cry of the nation, and urged by the perplexed and uncertain state of our foreign affairs, and declension of our wealth, and attacks upon our liberties at home, to recollect these precedents of magnanimity and justice, and to make another effort for the relief of our country.

This house, my lords, has proceeded against ministers, whose conduct they disapproved, by methods of greater or less severity, according to the necessity of affairs, or the supposed malignity of the crimes alleged against them; and, therefore, have sometimes thought it necessary to deter posterity from imitating them by rigorous censures, and exemplary punishments, and sometimes have thought it sufficient to set the nation free from its distresses, without inflicting any penalties on those by whose misconduct they imagined them produced.

What were the more violent and vindictive methods of proceeding, it is not necessary, with regard to this motion, to examine; since I shall only propose, that we should, in imitation of our predecessors, in cases of this nature, humbly address his majesty to remove the minister from his presence and councils.

Nothing, my lords, can be more moderate or tender than such an address, by which no punishment is inflicted, nor any forfeiture exacted. The minister, if he be innocent, if his misconduct be only the consequence of his ignorance or incapacity, may lay down in peace an office for which nature has not designed him, enjoy the vast profits of long employment in tranquillity, and escape the resentment of an unhappy people; who, when irritated to the highest degree, by a continuation of the same miscarriages, may, perhaps, in the heat of a more malevolent prosecution, not sufficiently distinguish between inability and guilt.

Those, therefore, among your lordships, that think him honest but mistaken, must willingly agree to a motion like this, as the best expedient to appease the people without

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the ruin of the minister. For surely no man who has read the history, or is acquainted with the temper of this nation, can expect that the people will always bear to see honours, favours, and preferments, distributed by the direction of one universally suspected of corruption, and arbitrary measures; or will look only with silent envy upon the affluence of those whom they believe to be made great by fraud and plunder, swelled to insolence by the prosperity of guilt, and advanced to wealth and luxury by publick miseries.

Such of your lordships who join with the people in ascribing our present unhappy state not to the errours, but to the crimes of the minister, and who, therefore, think a bare removal not sufficient to satisfy the demands of justice, must, doubtless, give their consent to the motion, for the sake of obtaining proper evidence of his wickedness, which cannot be expected while he stands exalted in prosperity, and distributes the riches of the nation, and the gifts of his sovereign at his own choice; while he is in possession of every motive that can influence the mind, enforce secrecy, and confirm fidelity; while he can bribe the avaricious, and intimidate the fearful; while he can increase the gratification of luxury, and enlarge the prospects of ambition. For, my lords, if it be considered from whom this evidence must be drawn, it will soon appear that no very important discoveries can be made, but by those whom he has intrusted with his secrets, men whose disregard of virtue recommended them to his favour, and who, as they are moved only by interest, will continue faithful while they can hope for recompense; but may, perhaps, be willing to buy their own security by sacrificing their master, when they shall see no farther prospect of advantage from serving him, or any other method of escaping punishment.

But, my lords, all must allow this motion to be reasonable, whatever they think of the minister's conduct, who are of opinion that a free people have a right of complaining when they feel oppression, and of addressing the crown to remove a minister that has incurred their universal detestation.

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That such is the condition of the present minister, I believe, will scarcely be denied, or may be discovered by those who find themselves inclined to doubt it, by asking any man whom they shall accidentally meet, what are his sentiments on the situation of national affairs, and of the hands by which they are administered. What answer he will receive is well known to most of your lordships. Let him not be satisfied with a single suffrage, let him repeat the question to ten thousand persons, different in their ages, their conditions, and religious opinions, in every thing that produces contrariety of dispositions and affections, he will yet find them unanimous in complaining of publick misconduct, and in censuring one gentleman as the author of it.

Let us not imagine, my lords, that these accusations and murmurs are confined to the lowest class of the people, to men whose constant attention to more immediate distresses, hinder them from making excursions beyond their own employments. For though, perhaps, it might be made evident from the accounts of past times, that no general dissatisfaction, even among men of this rank, was ever groundless; though it might be urged that those who see little can only clamour, because they feel themselves oppressed; and though it might not unseasonably be hinted that they are at least formidable for their numbers, and have, sometimes, executed that justice which they had not interest to procure, and trampled upon that insolence that has dared to defy them; yet I shall not insist upon such motives, because it is notorious that discontent is epidemical in all ranks, and that condition and observation are far from appeasing it.

Whether the discontent, thus general, is groundless, whether it is raised only by the false insinuations of the disappointed, and the wicked arts of the envious, whether it is, in exception to all the maxims of government, the first dislike of an administration that ever overspread a nation without just reasons, deserves to be inquired into.

In this inquiry, my lords, it will be necessary to consider not only the state of domestick affairs, increase or dimi-

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nution of our debts, the security or violation of our liberties, the freedom or dependence of our senates, and the prosperity or declension of our trade, but to examine the state of this nation, with regard to foreign powers; to inquire, whether we are equally feared and equally trusted now as in former administrations; whether our alliances have contributed to secure us from our inveterate and habitual enemies, or to expose us to them; whether the balance of Europe be still in our hands; and whether, during this long interval of peace, our power has increased in the same proportion with that of our neighbours.

France, my lords, is the constant and hereditary enemy of Britons, so much divided from her in religion, government, and interest, that they cannot both be prosperous together; as the influence of one rises, that of the other must, by consequence, decline. Alliances may form a temporal show of friendship, but it cannot continue; for their situation produces a natural rivalship, which every accidental circumstance has contributed to increase. Long wars, for many reigns after the conquest, established a radical and insuperable hatred between us, nor did those wars cease till the reformation produced new occasions of jealousy and aversion. France was, by these reasons, obliged for many ages to employ all her influence and policy in strengthening herself against us, by treaties and alliances; and in our times, has given us a new reason for jealousy by extending her commerce, and improving her manufactures.

It has been, therefore, my lords, the settled principle of every wise administration, of every Briton, whose opinions were not regulated by some other motives than those of reason, to attend, with the highest degree of vigilance, to all the designs of the French, and oppose, with incessant diligence, every attempt to increase their force, or extend their influence, and to check their conquests, obstruct their alliances, and forestal their trade.

For this great end it has been our constant endeavour to support the Austrian family, whose large dominions and numerous forces make a counterbalance on the continent

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to the power of France. For this end we entered into a long war, of which we still languish under the consequences, squandered the lives of our countrymen, and mortgaged the possessions of our posterity. For failing in the prosecution of this purpose, for leaving France too formidable, and neglecting the interests of the emperour, was the treaty of Utrecht censured, and the authors of it prosecuted by the present minister; but how much he has improved the errours of his predecessors to his own advantage, how diligent he has been to rectify the miscarriages of their conduct, and supply the defect, I shall endeavour to explain.

It is well known, my lords, that during the regency of the duke of Orleans, we had nothing to apprehend from French machinations; his interest, a tie which that nation is seldom found to break, held him steady to his engagements with us; nor is it less known how much he distrusted Spain, and how little, by consequence, he favoured her. We had, at that time, no necessity of anxiously attending to every whisper of the French court, which was sufficiently engaged in regulating their domestick affairs, and repairing the ruins of a destructive war; but, my lords, we ought to observe, that it had been happy for us had our minister laboured with equal address at the same employment.

After the death of this duke, the affairs of France were restored to their former situation, her old schemes were revived, her ancient alliances cultivated, and her general interest pursued. Spain was again considered as the power which had the same views with her, and which could never rival, but might always assist her.

This alliance, my lords, was intended to have been unalterably confirmed by a marriage, but as no human policy can form measures certain of success, an irreconcilable hatred was nearly produced by the measure intended to confirm a settled and indissoluble friendship. The infanta was sent back after her arrival in France, an affront which no nation would soon have forgot, but which the general character and habitual sentiments of the Spaniards in-

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clined them to resent beyond any other people. To any one acquainted with their character in this respect, it will readily appear, that no other insult or injury could so sensibly affect them, or excite so eager a desire of revenge. This, my lords, the sagacity of our minister should have discovered, this opportunity should have been improved with the utmost care, by which Spain and France might possibly have been disunited for ages, and Britain have gained such advantages as would have made her the sole arbitress of Europe.

The Spaniards were not deficient on their side, nor did they neglect to court our friendship, but gave us the highest proof of their confidence by offering us the sole mediation of their differences with the emperour of Germany: but at this time it was, that the gentleman whose conduct I am examining, obtained the chief influence in our councils, and by his peculiar penetration discovered, that nothing was to be done which might give the least offence to the French. We, therefore, refused to mediate, unless French ministers might be associated with ours, which the Spaniards had too much spirit to consent to.

Thus, my lords, was neglected the first opportunity of forming against the French an alliance by which they might have been awed in all their designs, and by which the peace of Europe might have been long preserved.

The Spaniards, finding that we would not undertake to reconcile their differences with the emperour of Germany, and continuing their abhorrence of French mediators, concluded, without the intervention of any other power, a treaty both of peace and alliance with his imperial majesty.

This, my lords, was the famous treaty of Vienna, the source of so many projects and expedients, of so much terrour and solicitude, of such immense expenses, and perplexed negotiations. This treaty, a paper innocent and well-meaning, which related only to the contracting parties, kept, for some time, this nation in alarms, in apprehensions of conspiracies, and expectations of invasions.

To this treaty, had we singly regarded our own affairs,

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without applying to France for instructions, we ought to have acceded, by which we should have divided the interest of the house of Bourbon, broken the combination of these pontifical powers, and, by improving one lucky incident, obtained what our arms and our politicks had never, hitherto, been able to accomplish.

But the French, sensible of their danger, and well acquainted with our minister, contrived an expedient which, indeed, would not often have succeeded, but which was so well adapted to the intellects of this gentleman, that it extricated them from all their difficulties.

They told us, my lords, and, what is yet more wonderful, they prevailed upon us to believe, that in this dreadful treaty of Vienna, it was stipulated between the German emperour and Spain, that they should employ their joint forces against Britain, that they should exalt the pretender to the throne, take immediate possession of Gibraltar, and, without mercy, debar us for ever from our trade both in Spain and in the Western Indies. This his late majesty was advised to assert in his speech from the throne, which I desire may be read.

Of which the following clauses were read:

. . " My lords and gentlemen,

" The distressed condition of some of our religious brethren abroad, and the negotiations and engagements entered into by some foreign powers, which seem to have laid the foundation of new troubles and disturbances in Europe, and to threaten my subjects with the loss of several of the most advantageous branches of their trade, obliged me, without any loss of time, to concert with other powers such measures as might give a check to the ambitious views of those who are endeavouring to render themselves formidable, and put a stop to the farther progress of such dangerous designs. For these ends I have entered into a defensive alliance with the French king, and the king of Prussia, to which several other powers, and particularly the Dutch, have been invited to accede, and I have not the least reason to doubt of their concurrence. This treaty shall, in a short time, be laid before you.

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"By these means, and by your support and assistance, I trust in God, I shall be able not only to secure to my own subjects the enjoyment of many valuable rights and privileges, long since acquired for them by the most solemn treaties, but effectually to preserve the peace and balance of Europe, the only view and end of all my endeavours.

"It is not to be doubted, but the enemies to my government will conceive hopes, that some favourable opportunity for renewing their attempts may offer, from the prospect of new troubles and commotions: they are already very busy by their instruments and emissaries in those courts whose measures seem most to favour their purposes, in soliciting and promoting the cause of the pretender; but I persuade myself, notwithstanding the countenance and encouragement they may have received, or flatter themselves with, the provision you shall make for the safety and defence of the empire, will effectually secure me from any attempts from abroad, and render all such projects vain and abortive.

"When the world shall see that you will not suffer the British crown and nation to be menaced and insulted, those who most envy the present happiness and tranquillity of this empire, and are endeavouring to make us subservient to their ambition, will consider their own interest and circumstances before they make any attempt upon so brave a people, strengthened and supported by prudent and powerful alliances, and though desirous to preserve the peace, able and ready to defend themselves against the efforts of all aggressors. Such resolutions and such measures, timely taken, I am satisfied, are the most effectual means of preventing a war, and continuing to us the blessings of peace and prosperity."

Who would not have been terrified, my lords, at a treaty like this? Our religion was to be destroyed, our government subverted, and our trade reduced to nothing. What could a ministry, thus intimidated, do, but resign themselves implicitly to the direction of a kind neighbour, that promised to shelter them from the storm?

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There have been ministers, my lords, in former times, who, upon hearing such a representation, would have considered, that Britain was an island, that the pretender could not be forced upon us without an army, and that an army could not be transported without ships, that the emperour of Germany had neither navies nor ports, that Gibraltar might be easily supplied with every thing requisite for its defence, and that any attempt made by Spain to injure our trade, might easily be punished by intercepting their Plate fleets.

They would then have considered whether attempts so improbable, and stipulations so absurd and ridiculous, ought to be credited upon the information of an ambassadour's secretary, who, as he proposed to reveal his master's secrets for a bribe, might as probably take another reward for imposing upon those whom he pretended to inform. Those, therefore, who advised his majesty to assert to the senate what they knew from no better authority, those whose daring insolence could make their sovereign instrumental in alarming the people with false terrours, and oppressing them with unnecessary burdens, well deserve to feel a senatorial censure.

But our ministers, my lords, were too much frighted to make such reflections: they imagined that destruction was hanging over us, and, in a dread of arbitrary government, oppression, and persecution, concluded at Hanover a treaty with the French.

Thus the French gained our confidence, and raised in us a distrust of both the powers with whom it was our interest to be united: but the alliance of the emperour of Germany with Spain made them still uneasy; and, therefore, they determined, once more, to make our credulity instrumental in procuring a reconciliation between them and the Spaniards.

To effect this, they kindly gave us intelligence, that when the Spaniards should receive their treasures from the Western Indies, they designed to employ it in favour of the pretender, and that, therefore, it was necessary to intercept it. This advice was thankfully listened to, a

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fleet was fitted out, and thousands were sacrificed without any advantage; for the French not only forbore to assist us in the expedition, but forbade us to seize the treasure when we had found it.

The Spaniards, apprehending themselves attacked, omitted no opportunity of showing their resentment; they seized our ships, and laid siege to Gibraltar, while our new allies looked quietly on, and expected the event of their own scheme, which was far from being defeated by our policy; for the Spaniards, finding the return of their American revenues insuperably obstructed, and knowing that the emperour of Germany, that emperour who was to invade Britain, had not any power even to assist them, were obliged to have recourse to the nation which they then hated, and to forgive the past affront, that they might obtain their good offices in this exigence.

But, my lords, it was not sufficient for the designs of the French, that they had recovered their ancient allies the Spaniards, unless they could disunite them from the emperour of Germany: this it was, likewise, our interest to prevent, and yet this, likewise, we enabled them to effect; for they prevailed upon us to promise, in our stipulations with the Spaniards, what they had not the least claim to demand, that Spain, instead of neutral troops, should be introduced into Italy, to secure certain successions there to a son of the queen of Spain.

With what reluctance the emperour of Germany would consent to see troops placed in the provinces bordering upon his dominions, which would certainly, on the first occasion, be employed to invade them, it was easy to foresee, and with what degree of good-will he would regard those by whom they were introduced; yet, my lords, such was the influence of France, and so ardent our desire of diverting Spain from setting the pretender upon the throne of Britain, that we complied at all events, without any prospect or promise of advantage.

Thus were the Spaniards, by being persuaded to make this demand, and we, by granting it, brought equally to ill terms with the emperour of Germany; and France was, by

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procuring such agreeable conditions to the Spaniards, again considered as their most useful ally.

That nation, my lords, is in a very unhappy state, which is reduced to admit such terms as mediators are pleased to prescribe. We durst not refuse the introduction of Spanish troops, nor durst we introduce them without the emperour of Germany's consent, which, however, he granted at an easy rate, for he demanded only that we should become guarantees of the Pragmatick sanction. This we gladly agreed to, and thought ourselves so happy in purchasing, so cheaply, an opportunity of ingratiating ourselves with Spain, that we desired no other recompense.

This treaty with the emperour of Germany, was, however, by no means improper, nor could we, after the errours which had been committed, do any thing more effectual to preserve the balance of Europe, and reestablish our credit.

But, my lords, this only treaty, which it was for our interest to make, seems to have been made without any intention of observing it; for about this time all the northern powers were alarmed by the approaching election of Poland, and every nation that had any thing either to hope or fear from the event of it, endeavoured to influence it.

How this election was determined, my lords, and by what means, it is unnecessary to relate; but it may not be improper to remark, that whatever cause we may have to congratulate ourselves upon the choice, it does not appear that we had any part in promoting it. Nay, as it is not common for ministers to keep the best part of their conduct secret, there is reason for suspecting that they were not altogether without foundation reported to have favoured France.

The emperour of Germany, sensible of his own interest, promoted the election with vigour and resolution, proportioned to the greatness of the danger that might have arisen from neglecting it. By this conduct he drew upon himself the resentment of the French, who had now a pretence for taking measures which might effectually reunite them to Spain, and, as the event showed, alienate us from

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the emperour, and, therefore, in vindication of the claim of Stanislaus, declared war upon Germany, in conjunction with Spain.

Now, my lords, the emperour learned to set the true value upon his alliance with Britain, and all Europe had an opportunity of remarking our spirit, our power, and our vigilance. The troops which we prevailed upon his imperial majesty to admit into Italy, were now drawn out of the garrisons against him, his dominions were attacked on each side, by formidable enemies, and his British allies looked with tranquillity and unconcern upon the difficulties into which they had betrayed him. The liberties of Europe were endangered by a new combination of the houses of Bourbon; and Britain, the great protectress of the rights of mankind, the great arbitress of the balance of power, either neglected or feared to interpose.

Of the event of the war, my lords, I need only observe, that it added new strength to France, and contributed to such an union between her and Spain, as the most artful politician cannot hope to dissolve.

Thus, my lords, whether by negligence, ignorance, cowardice, or treachery, it is not easy to determine, we were made the instruments of the French policy. Thus was that power enabled by our assistance to retrieve all that she had lost by the ill success of her arms, and by her indecent and contemptuous treatment of Spain. Thus was the German emperour dispirited and weakened; thus were we deprived at once of our allies and our reputation.

Our loss of reputation, the greatest loss that bad measures can bring upon a nation, is made evident beyond controversy, by the insolence with which the Spaniards have treated us while we were flattering, enriching, and supporting them. While we were fitting out squadrons to convey their princes to Italy, and increasing their dominions at our own expense, they seem to have considered our good offices, not as the benefits of friends, but the drudgery of slaves, and, therefore, could scarcely refrain from insults while they employed us, at least when they no longer wanted our immediate assistance. They renewed

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their contempt and cruelty, their robberies and oppressions; they prescribed laws to our navigation, and laid claim to our colonies.

To these ravages and injuries what did we oppose? What but humble intreaties, pacifick negotiations, and idle remonstrances? Instead of asserting our just claims, and incontestable possessions, instead of preventing war by threatening it, and securing ourselves from a second injury by punishing the first, we amused ourselves with inquiries, demands, representations, and disputes, till we became the jest of that nation which it was in our power to distress, by intercepting their treasure, and to reduce to terms almost without bloodshed.

Thus, my lords, did we proceed, new questions ever arose, and the controversy became more intricate; commissaries were despatched to Spain, who returned without obtaining either restitution or security, and in the mean time no opportunity was neglected of plundering our merchants, and insulting our flag: accounts of new confiscations and of new cruelties daily arrived, the nation was enraged, and the senate itself alarmed, and our ministers, at length awakened from their tranquillity, sent orders to the envoy at the Spanish court to expedite an accommodation; these directions were immediately obeyed, and produced the celebrated convention.

What was given up, or what was endangered by this detestable treaty, your lordships have often had occasion to observe, and the consequences of it were so obvious, that the nation was astonished. Every man saw that we were either treacherously betrayed by our own ministry, or that the ministers were almost the only men in the kingdom utterly unacquainted with our claims, our injuries, and our danger.

A war could now no longer be avoided, it was not in the power of the ministry any longer to refuse to send out our fleets, and make an appearance of hostile measures; but they had still some expedients remaining to shelter the Spaniards from our resentment, and to make their country yet more contemptible: they could contrive such orders

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for their admirals as should prevent them from destroying their enemies with too little mercy; and if any one was suspected of intentions less pacifick, there were methods of equipping his fleet in such a manner as would effectually frustrate his schemes of revenge, reprisals, and destruction.

These, my lords, are not the murmurs of the disappointed, nor the insinuations of the factious; it is well known to our countrymen and to our enemies, how ill admiral Vernon was furnished with naval and military stores, and how little his importunate demands of a supply were regarded. What opportunities were lost, and what advantages neglected, may be conjectured from the success of his inconsiderable force. A very little reflection on the situation and state of those countries will easily satisfy your lordships, how far a small body of land-forces might have penetrated, what treasures they might have gained, and what consternation they might have spread over the whole Spanish America.

That our squadrons in the Mediterranean have been, at least, useless, that they have sailed from point to point, and from one coast to another, only to display the bulk of our ships, and to show the opulence of our nation, can require no proof: I wish, my lords, there was less reason for suspecting that they acted in concert with our enemies, that they retired from before their ports only to give them an opportunity of escaping, and that they, in reality, connived at some attempts which they were, in appearance, sent to prevent.

There are some miscarriages in war, my lords, which every reasonable man imputes to chance, or to causes of which the influence could not be foreseen; there are others that may justly be termed the consequences of misconduct, but of misconduct involuntary and pardonable, of a disregard, perhaps, of some circumstances of an affair produced by too close an attention to others. But there are miscarriages, too, for which candour itself can find no excuses, and of which no other causes can be assigned than cowardice or treachery. From the suspicion of one, the past actions of the admiral who commands our fleet in

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those seas will secure him, but I know not whether there are now any that will attempt to clear the minister's character from the imputation of the other.

All the insolence of the Spaniards, a nation by no means formidable, is the consequence of the reunion of the houses of Bourbon; a reunion which could not easily have been accomplished, but by the instrumental offices of our ministry, whom, therefore, the nation has a right to charge with the diminution of its honour, and the decay of its trade.

Nor has our trade, my lords, been only contracted and obstructed by the piracies of Spain, but has been suffered to languish and decline at home, either by criminal negligence, or by their complaisance for France, which has given rise to our other calamities. The state of our woollen manufactures is well known, and those whose indolence or love of pleasure keeps them strangers to the other misfortunes of their country, must yet have been acquainted with this, by the daily accounts of riots and insurrections, raised by those who, having been employed in that manufacture, can provide for their families by no other business, and are made desperate by the want of bread.

We are told, my lords, by all parties, and told with truth, that our manufactures decline, because the French have engrossed most of the foreign markets; and it is not denied even by those whose interest it might be to deny it, that the cloth which they ruin us by vending, is made of our own wool, which they are suffered to procure either by the folly of an unskilful, or the connivance of a treacherous administration.

If our own manufactures, my lords, had been carefully promoted, if the whole influence of our government had been made to cooperate with the industry of our traders, there had always been such a demand for our wool, that they could not have afforded to purchase it at a price equivalent to the danger of exporting it: and if any means were now steadily practised to prevent the exportation, our trade must consequently revive, because cloth is one

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of the necessaries of life which other nations must have from Britain, when France can no longer supply them.

But, my lords, notwithstanding the decay of trade, our expenses have never been contracted; we have squandered millions in idle preparations, and ostentatious folly; we have equipped fleets which never left the harbour, and raised armies which were never to behold any other enemy than the honest traders and husbandmen that support them. We have, indeed, heard many reasons alleged for oppressing the empire with standing troops, which can have little effect upon those who have no interest to promote by admitting them: sometimes we are in danger of invasions, though it is not easy to imagine for what purpose any prince should invade a nation, which he may plunder at pleasure, without the least apprehension of resentment, and which will resign any of its rights whenever they shall be demanded: sometimes, as we have already heard, the pretender is to be set upon the throne by a sudden descent of armies from the clouds; and sometimes the licentiousness and disobedience of the common people requires the restraint of a standing army.

That the people are, to the last degree, exasperated and inflamed, I am far from intending to deny, but surely they have yet been guilty of no outrage so enormous as to justify so severe a punishment; they have generally confined themselves to harmless complaints, or, at least, to executions in effigy. The people, my lords, are enraged because they are impoverished, and, to prevent the consequences of their anger, their poverty is increased by new burdens, and aggravated by the sight of an useless, despicable herd, supported by their industry, for no other purpose than to insult them.

By these useless armaments and military farces, our taxes, my lords, have been continued without diminishing our debts, and the nation seems condemned to languish for ever under its present miseries, which, by furnishing employment to a boundless number of commissioners, officers, and slaves, to the court, under a thousand de-

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nominations, by diffusing dependence over the whole country, and enlarging the influence of the crown, are too evidently of use to the minister for us to entertain any hopes of his intention to relieve us.

Let it not be boasted that nine millions are paid, when a new debt of seven millions appears to be contracted; nothing is more easy than to clear debts by borrowing, or to borrow when a nation is mortgaged for the payment.

But the weight of the present taxes, my lords, though heavier than was perhaps ever supported by any nation for so long a time, taxes greater than ever were paid, to purchase neither conquests nor honours, neither to prevent invasions from abroad, nor to quell rebellions at home, is not the most flagrant charge of this wonderful administration, which, not contented with most exorbitant exactions, contrives to make them yet more oppressive by tyrannical methods of collection. With what reason the author of the excise scheme dreads the resentment of the nation is sufficiently obvious; but surely, in a virtuous and benevolent mind, the first sentiments that would have arisen on that occasion, would not have been motions of anger, but of gratitude. A whole nation was condemned to slavery, their remonstrances were neglected, their petitions ridiculed, and their detestation of tyranny treated as disaffection to the established government; and yet the author of this horrid scheme riots in affluence, and triumphs in authority, and without fear, as without shame, lifts up his head with confidence and security.

How much, my lords, is the forbearance of that people to be admired, whom such attacks as these have not provoked to transgress the bounds of their obedience, who have continued patiently to hope for legal methods of redress, at a time when they saw themselves threatened with legal slavery, when they saw the legislative power established only for their protection, influenced by all possible methods of corruption to betray them to the mercy of the ministry?

For, that corruption has found its way into one of the houses of the legislature, is universally believed, and,

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without scruple, maintained by every man in the nation, who is not evidently restrained from speaking as he thinks; and that any man can even be of a different opinion, that any man can even affirm that he thinks otherwise, would be, in any other age, the subject of astonishment. That an immense revenue is divided among the members of the other house, by known salaries and publick employments, is apparent; that large sums are privately scattered on pressing exigencies, that some late transactions of the ministry were not confirmed but at a high price, the present condition of the civil list, a civil list vastly superiour to all the known expenses of the crown, makes highly probable. That the commons themselves suspect the determinations of their assembly to be influenced by some other motives than justice and truth, is evident from the bill this day sent hither for our concurrence; and, surely, no aggravation can be added to the crimes of that man who has patronised our enemies, and given up our navigation, sunk his country into contempt abroad, and into poverty at home, plundered the people, and corrupted the legislature.

But, my lords, the minister has not only contributed, by his wickedness or his ignorance, to the present calamities, but has applied all his art and all his interest to remove from posts of honour and trust, to banish from the court, and to exclude from the legislature all those whose counsels might contribute to restore the publick affairs, without any regard to the popularity of their characters, the usefulness of their talents, or the importance of their past services to the crown. Had any of these considerations prevailed, we had not seen the greatest general in Britain dispossessed of all his preferments, dispossessed at a time when we are at war with one nation, and in expectation of being attacked by another far more powerful, which will, doubtless, be encouraged, by his removal, to more daring contempt, and more vigorous measures.

What were the motives of this procedure it is easy to discover. As his open defence of the present royal family in the late rebellion, exempts him from the imputation of

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being disaffected to the crown, the only crime with which he can be charged is disaffection to the minister.

Perhaps, my lords, the minister may have determined to have no need of generals in his transactions with foreign powers; but in proportion as he relies less upon the sword, he must depend more upon the arts of peaceable negotiation, and, surely, there has been another person dismissed from his employments, whose counsels it had been no reproach to have asked, and to have followed.

The nature of my motion, my lords, makes it not necessary to produce evidence of these facts, it is sufficient that any minister is universally suspected; for when did an innocent man, supported by power, and furnished with every advantage that could contribute to exalt or preserve his character, incur the general hatred of the people? But if it could ever happen by a combination of unlucky accidents, what could be more for the happiness of himself, his master, and the nation, than that he should retire and enjoy the consciousness of his own virtue.

His own interest, in such a retirement, I have already considered, and that both of the prince and the people is no less apparent: while a hated minister is employed, the king will always be distrusted by the nation, and, surely, nothing can so much obstruct the publick happiness, as a want of confidence in those who are intrusted with its preservation.

That common fame is, in this case, sufficient, will not be questioned, when it is considered that common fame is never without a foundation in facts, that it may spread disquiet and suspicion over all the kingdom, and that the satisfaction of millions is very cheaply purchased by the degradation of one man, who was exalted only for their benefit.

The objection, that there is no sole minister, will create no greater difficulty; if there be many concerned in these transactions, *respondeat superior:* but it is too apparent that there is, in reality, one whose influence is greater than that of any other private man, and who is arrived at a height not consistent with the nature of the British government;

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it is uncontested that there is one man to whom the people impute their miseries, and by whose removal they will be appeased.

The affairs of Europe, my lords, will probably be so much embarrassed, and the struggles between the different designs of its princes be so violent, that they will demand all our attention, and employ all our address, and it will be to the highest degree dangerous to be distracted at the same time with apprehensions of domestick troubles; yet, such is the present unhappy state of this nation, and such is the general discontent of the people, that tranquillity, adherence to the government, and submission to the laws, cannot reasonably be hoped, unless the motion I shall now take leave to make your lordships, be complied with: and I move, "That an humble address be presented to his majesty, most humbly to advise and beseech his majesty, that he will be most graciously pleased to remove the right honourable sir Robert Walpole, knight of the most noble order of the blue riband, first commissioner of his majesty's treasury, and chancellor of the exchequer, and one of his majesty's most honourable privy council, from his majesty's presence and councils for ever."

He was seconded by lord ABINGDON in the following manner:—My lords, the copiousness and perspicuity with which the noble lord has laid down the reasons of his motion, make it neither easy nor necessary to enlarge upon them. I shall, therefore, only offer to your lordships a few thoughts upon the authority of common fame, as the evidence upon which the motion is in part founded.

That all the miscarriages of our late measures are by common fame imputed to one man, I suppose, will not be denied; nor can it, in my opinion, be reasonably required, that in the present circumstances of things any other proof should be brought against him.

Common fame, my lords, is admitted in courts of law as a kind of auxiliary or supplemental evidence, and is allowed to corroborate the cause which it appears to favour. The general regard which every wise man has for his character, is a proof that in the estimation of all man-

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kind, the testimony of common fame is of too great importance to be disregarded.

If we consider the nature of popular opinions on publick affairs, it will be difficult to imagine by what means a persuasion not founded on truth should universally take possession of a people; it will be yet more difficult to believe that it should preserve its empire, and that in opposition to every art that can be made use of to undeceive them, they should pertinaciously adhere to an errour not imbibed in their education, nor connected with their interest. And how has any man been originally prejudiced against the present minister? Or what passion or interest can any man gratify, by imagining or declaring his country on the verge of ruin? The multitude, my lords, censure and praise without dissimulation, nor were ever accused of disguising their sentiments; their voice is, at least, the voice of honesty, and has been termed the voice of heaven, by that party of which those affect to be thought whom it now condemns.

Let it not be urged, that the people are easily deceived, that they think and speak merely by caprice, and applaud or condemn without any calm inquiry or settled determination; these censures are applicable only to sudden tumults, and gusts of zeal excited by fallacious appearances, or by the alarms of a false report industriously disseminated, but have no relation to opinions gradually propagated, and slowly received.

If the credulity of the people exposes them to so easy an admission of every report, why have the writers for the minister found so little credit? Why have all the loud declamations, and the laboured arguments, the artful insinuations, and positive assertions, which have been for many years circulated round the nation, at the expense of the government, produced no effect upon the people, nor convinced any man, who was not apparently bribed, to resign his private opinion to that of his patrons? Whence comes it, my lords, that falsehood is more successful than truth, and that the nation is inclined to complain rather than to triumph? It is well known that the people have

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been charged in all former ages, with being too much dazzled by the glitter of fortune, and the splendour of success, and bestowing their applauses not according to the degrees of merit, but prosperity. The minister, my lords, has defeated his opponents in almost all their attempts; his friends have sounded victory every session, and yet the people declare against him; his adversaries have retired into the country with all the vexation of disappointment, and have been rewarded for their unsuccessful efforts with general acclamations. What is it, my lords, but the power of truth, that can preserve the vanquished from ridicule, and influence the nation to believe them the only patrons of their commerce and liberty, in opposition to all the writers and voters for the ministry?

If we consult history, my lords, how seldom do we find an innocent minister overwhelmed with infamy? Innocent men have sometimes been destroyed by the hasty fury, but scarcely ever by the settled hatred of the populace. Even that fury has generally been kindled by real grievances, though imputed to those who had no share in producing them; but when the tempest of their first rage has subsided, they have seldom refused to hear truth, and to distinguish the patriot from the oppressor.

But though it should be acknowledged, my lords, that the people have been blinded by false representations, and that some causes yet undiscovered, some influence which never has been known to operate in any state before, hinder them from beholding their own felicity; yet, as publick happiness is the end of government, and no man can be happy that thinks himself miserable, it is, in my opinion, necessary to the honour of his majesty, and to the tranquillity of the nation, that your lordships should agree to the present motion.

The duke of NEWCASTLE answered to this effect:—My lords, it is not without wonder that I hear a motion so uncommon and important, a motion which may be reasonably supposed to have been long premeditated, and of which such affecting expectations have been raised, so weakly supported by evidence. I cannot think that any

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other attestation is needful for the vindication of the right honourable gentleman, whose conduct is this day to be examined, than the declaration of the noble lord, that there appears no positive evidence against him.

The pretence that no evidence can be expected while he continues in his present station, is too openly fallacious to impose upon your lordships; for why should his influence be greater, and his power less resistible than that of other ministers, who are well known to have found accusers in the height of their authority, and to have been dragged to punishment almost from behind the throne?

It is sufficiently known, that during the continuance of this administration, many have been dismissed from their employments, who appear not altogether unaffected with the loss, and from whose resentment a discovery of wicked measures might be reasonably expected, as their acquaintance with the secrets of the government must have given opportunities of detecting them. If, therefore, no particular crimes are charged upon him, if his enemies confine themselves to obscure surmises, and general declamations, we may reasonably conclude, that his behaviour has been at least blameless. For what can be a higher encomium than the silence of those who have made it the business of years to discover something that might be alleged against him on the day of trial.

I suppose that no man can question the penetration of those noble lords who have opened this debate, and I, my lords, shall be very far from insinuating that cowardice suppresses any of their sentiments. As the highest reproach that can be thrown upon any man, is to suggest that he speaks what he does not think; the next degree of meanness would be to think what he dares not speak, when the publick voice of his country calls upon him.

When, therefore, popular reports are alleged as the foundation of the address, it is probable that it is not founded, in reality, upon known crimes or attested facts, and if the sudden blasts of fame may be esteemed equivalent to attested accusations, what degree of virtue can confer security?

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That the clamour is so loud and so general as it is represented, I can discover no necessity of admitting; but, however the populace may have been exasperated against him, we are surely not to be influenced by their complaints, without inquiring into the cause of them, and informing ourselves whether they proceed from real hardships, unnecessary severities, and calamities too heavy to be borne, or from caprice, and inconstancy, idle rumours, and artful representations.

I very readily allow, my lords, that nothing has been left unattempted that might fill the people with suspicion and discontent. That inevitable calamities have been imputed to misconduct, or to treachery, and even the inconstancy of the winds and severity of the weather charged upon the right honourable gentleman, the daily libels that are in every man's hand, are a standing evidence; and though I should grant that the people never complain without cause, and that their burdens are always heavy before they endeavour to shake them off, yet it will by no means follow, that they do not sometimes mistake the cause of their miseries, and impute their burdens to the cruelty of those whose utmost application is employed to lighten them.

Common fame is, therefore, my lords, no sufficient ground for such a censure as this, a censure that condemns a man long versed in high employments, long honoured with the confidence of his sovereign, and distinguished by the friendship of the most illustrious persons in the nation, to infamy and contempt, unheard, and even unaccused; for he against whom nothing is produced but general charges, supported by the evidence of common fame, may be justly esteemed to be free from accusation.

That other evidence will appear against him when he shall be reduced, in consequence of our agreeing to this motion, to the level with his fellow-subjects, that all informations are now precluded by the terrours of resentment, or the expectations of favour, has been insinuated by the noble lord, who made the motion: whether his insinuation be founded only upon conjecture, whether it be one of those visions which are raised by hope in a warm imagina-

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tion, or upon any private informations communicated to his lordship, I pretend not to determine; but if we may judge from the known conduct of the opposition, if we consider their frequent triumphs before the battle, and their chimerical schemes of discoveries, or prosecutions and punishments, their constant assurance of success upon the approach of a new contest, and their daily predictions of the ruin of the administration, we cannot but suspect that men so long accustomed to impose upon themselves, and flatter one another with fallacious hopes, may now, likewise, be dreaming of intelligence which they never will receive, and amusing themselves with suspicions which they have no reasonable expectation of seeing confirmed.

And to confess the truth, my lords, if I may be allowed, in imitation of these patrons of their country, to indulge my own imagination, and presume to look forward to the future conduct of those who have exerted such unwearied industry in their attempts upon the administration, and so long pursued the right honourable gentleman with inquiries, examinations, rhetorick, and ridicule, I cannot but find myself inclined to question whether, after their motion shall have been received in this house, and their petition granted by his majesty, they will very solicitously inquire after evidence, or be equally diligent in the discovery of truth, as in the persecution of the minister.

I am afraid, my lords, that they will be too deeply engaged in the care of making a dividend of the plunder in just proportions, to find leisure for pursuit of the enemy, and that the sight of vacant posts, large salaries, and extensive power, will revive some passions, which the love of their country has not yet wholly extinguished, and leave in their attention no room for deep reflections, and intricate inquiries. There have formerly, my lords, been patriots, who, upon a sudden advancement to a place of profit, have been immediately lulled into tranquillity, learned to repose an implicit confidence in the ministers, forgotten to harangue, threaten, inquire, and protest, and spent the remaining part of their lives in the harmless amusement of counting their salaries, perquisites, and gratuities.

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How great, my lords, would be the disappointment of the people, that unhappy people which has been long neglected and oppressed, which so justly detests the minister, and calls so loudly for vengeance, when they shall see their defenders remit the vigour of the pursuit, when once the minister flies before them, and instead of driving him into exile, contend about his places!

Unhappy then surely, my lords, would the nation be: the administration, we are told, is already universally abhorred, and its hope is only in the opposition; but should the zeal of the patriots once grow cold, should they discover to the publick, that they have been labouring not for general liberty, but for private advantage; that they were enemies to power only because it was not in their hands; and disapproved the measures of the government only because they were not consulted; how inevitably must the people then sink into despair; how certain must they then imagine their destruction?

It seems, therefore, my lords, equally prudent and just to reject this motion, till better proof shall be brought to support it; lest, by complying with it, we should heighten rather than appease the discontent of the people; lest we should too soon deprive them of their only consolation, and expose the patriots to censure, without vindicating the ministry.

In my opinion, my lords, all who have approved the conduct of the present ministry, must necessarily join in rejecting the motion, as cruel and unequitable, and incline to support a just, and continue a wise administration; and all those whom the restless clamours of the opposite party have persuaded to regard them as arbitrary, corrupt, and perfidious, must, if they are true friends to their country, and steady exacters of justice, resolve to defer their compliance, in order to bring to light the evidences necessary for a legal conviction, and severer punishment.

That these evidences will never be found, and that, therefore, no legal punishment will ever be inflicted, we may reasonably collect from the injustice of the laboured charge which your lordships have now heard; a charge

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drawn up with all the assistance of senatorial and political knowledge, and displayed with all the power of eloquence, a collection of every occurrence for many years, of which any circumstance could be shown in an unfavourable light, and a recapitulation of all the measures which have miscarried by unforeseen events, or which the populace have been persuaded to dislike.

In the administration of governments, my lords, many measures reasonable and just, planned out in pursuance of a very exact knowledge of the state of things then present, and very probable conjectures concerning future events, have yet failed to produce the success which was expected; they have been sometimes defeated by the inconstancy or dishonesty of those who are equally engaged in them, and sometimes frustrated by accidents, of which only providence has the disposal. It will even be allowed, my lords, that the ministry have been sometimes mistaken in their conjectures, and, perhaps, deceived by their intelligence, but I will presume to say, it never will be discovered that they willingly betrayed, or heedlessly neglected their trust, that they ever oppressed their country with unnecessary burdens, or exposed it to be insulted by foreign powers. Nor will it, perhaps, be found that they ever appeared grossly ignorant of the publick interest, or failed to discover any obvious truth, or foresee any probable contingencies.

But, my lords, I am willing to confess that they cannot judge of events to come with such unerring and demonstrative knowledge as their opponents can obtain of them after they have happened; and they are inclined to pay all necessary deference to the great sagacity of those wonderful prognosticators, who can so exactly *foresee* the *past*. They only hope, my lords, that you will consider how much harder their task is than that of their enemies; they are obliged to determine very often upon doubtful intelligence, and an obscure view of the designs and inclinations of the neighbouring powers; and as their informers may be either treacherous or mistaken, and the interests of other states are subject to alterations, they may be sometimes

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deceived and disappointed. But their opponents, my lords, are exempt, by their employment, from the laborious task of searching into futurity, and collecting their resolutions, from a long comparison of dark hints and minute circumstances. Their business is not to lead or show the way, but to follow at a distance, and ridicule the perplexity, and aggravate the mistakes of their guides. They are only to wait for consequences, which, if they are prosperous, they misrepresent as not intended, or pass over in silence, and are glad to hide them from the notice of mankind. But if any miscarriages arise, their penetration immediately awakes, they see, at the first glance, the fatal source of all our miseries, they are astonished at such a concatenation of blunders, and alarmed with the most distracting apprehensions of the danger of their country.

Accusation of political measures is an easy province; easy, my lords, in the same proportion as the administration of affairs is difficult; for where there are difficulties there will be some mistakes; and where there are mistakes, there will be occasions of triumph, to the factious and the disappointed. But the justice of your lordships will certainly distinguish between errours and crimes, and between errours of weakness and inability, and such as are only discoverable by consequences.

I may add, my lords, that your wisdom will easily find the difference between the degree of capacity requisite for recollecting the past, and foreknowing the future; and expect that those whose ambition incites them to endeavour after a share in the government of their country, should give better proofs of their qualifications for that high trust, than mere specimens of their memory, their rhetorick, or their malice.

Even the noble lord, who must be confessed to have shown a very extensive acquaintance with foreign affairs, and to have very accurately considered the interests and dispositions of the princes of Europe, has yet failed in the order of time, and by one errour very much invalidated his charge of misconduct in foreign affairs.

The treaty of Vienna, my lords, was not produced by

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the rejection of the infanta, unless a treaty that was made before it could be the consequence of it; so that there was no such opportunity thrown into our hands as the noble lord has been pleased to represent. Spain had discovered herself our enemy, and our enemy in the highest degree, before the French provoked her by that insult; and, therefore, how much soever she might be enraged against France, there was no prospect that she would favour us, nor could we have courted her alliance without the lowest degree of meanness and dishonour.

See then, my lords, this atrocious accusation founded upon false dates, upon a preposterous arrangement of occurrences; behold it vanish into smoke at the approach of truth, and let this instance convince us how easy it is to form chimerical blunders, and impute gross follies to the wisest administration; how easy it is to charge others with mistakes, and how difficult to avoid them.

But we are told, my lords, that the dangers of the confederacy at Vienna were merely imaginary, that no contract was made to the disadvantage of our dominions, or of our commerce, and that if the weakness of the Spaniards and Germans had contrived such a scheme, it would soon have been discovered by them to be an airy dream, a plan impossible to be reduced to execution.

We have been amused, my lords, on this occasion with great profusion of mirth and ridicule, and have received the consolation of hearing that Britain is an island, and that an island is not to be invaded without ships. We have been informed of the nature of the king's territories, and of the natural strength of the fortress of Gibraltar; but the noble lord forgot that though Britain has no dominions on the continent, yet our sovereign has there a very extensive country, which, though we are not to make war for the sake of strengthening or enlarging it, we are, surely, to defend when we have drawn an invasion upon it.

The weakness of the Spaniards, my lords, has been also much enlarged upon, but the strength of the jacobites at home has been passed over in silence, though it is appa-

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rent how easily the pretender might have landed here, and with what warmth his cause would have been espoused, not only by those whose religion avowed and professed makes them the enemies of the present royal family, but by many whom prospects of interest, the love of novelty, and rage of disappointment, might have inclined to a change.

That no such stipulations were made by that treaty, that no injury was intended to our commerce, nor any invasion proposed in favour of the pretender, are very bold assertions, and though they could be supported by all the evidence that negatives admit of, yet will not easily be believed by your lordships, in opposition to the solemn assurances of his late majesty. It is evident, from this instance, how much prejudice prevails over argument; they are ready to condemn the right honourable gentleman to whom they give the title of sole minister, upon the suffrage of common fame, yet will not acquit him upon the testimony of the king himself.

But, my lords, the arguments alleged to prove the improbability of such a confederacy, are so weak in themselves, that they require no such illustrious evidence to overbalance them. For upon what are they founded, but upon the impossibility of executing such designs?

It is well known, my lords, how differently different parties consider the same cause, the same designs, and the same state of affairs. Every man is partial in favour of his own equity, strength, and sagacity. Who can show that the same false opinion of their own power, and of our intestine divisions, which now prompts the Spaniards to contend with us, might not then incite them to invade us, or at least to countenance the attempts of one, whom they are industriously taught to believe the greatest part of the nation is ready to receive?

That they might have injured our trade is too evident from our present experience, and that they would have supported the Ostend company, which they espoused in an open manner, is undeniable. Nor is it in the least unlikely, that, elated with the certain power of doing much

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mischief, and with the imaginary prospects of far greater effects, they might engage in a confederacy, and farther attempts against us.

I am far from imagining, my lords, that it was in the power of the Germans and Spaniards united to force the pretender upon us, though we had stood alone against them; but the impossibility of succeeding in their design was not then so apparent to them as it is at present to us; they had many reasons to wish, and therefore would not be long without some to believe it practicable; and it was not the danger but the insult that determined his late majesty to enter into an alliance with France.

War, my lords, is always to be avoided, if the possessions and reputation of a people can be preserved without it; it was, therefore, more eligible to oblige them to lay aside their scheme while it was yet only in idea, than to defeat it in its execution. And an alliance with France effectually restrained the emperour, as our fleets in America reduced the Spaniards to desire peace.

Why we did not seize the cargo of the galleons, has been often asked, and as often such answers have been returned as ought to satisfy any rational examiner. We did not seize them, my lords, because a larger part belonged to other nations than to the Spaniards, and because the interests of our trade made it convenient not to exasperate the Spaniards, so far as to render a reconciliation very difficult.

In the terms of this reconciliation, my lords, it is charged upon the ministry, that they were guilty of contributing to the power of the house of Bourbon, by stipulating that Spain, instead of neutral troops, should be introduced into Italy. That those troops were less agreeable to the emperour cannot be denied, but it has already been shown how little reason we had to consult his satisfaction; and with regard to the advantages gained by the French and Spaniards in the late war, a very small part of them can be ascribed to six thousand troops.

With as little reason, my lords, is the charge advanced of neglecting to preserve the balance of Europe, by de-

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clining to assist the emperour against the French; for the intention of the war seems to have been rather revenge than conquest, and the emperour rather exchanged than lost his dominions.

That we declined engaging too far in the affairs of the continent, proceeded, my lords, from a regard to the trade of the nation, which is not only suspended and interrupted during the time of war, but often thrown into another channel, out of which it is the business of many years to recover it.

Nor have the ministry, my lords, deviated from their regard to trade, in their transactions with Spain, which have been the subject of so much clamour, and such pathetick declamations; they always knew what the nation now feels, that the merchants would suffer much more from a war than from piracies and depredations, which, however, they were far from submitting to, and for which they constantly made demands of satisfaction. To these demands they received such answers, as, if they had been sincere, would have left the nation no room to complain; but when it was discovered that nothing but verbal satisfaction was to be expected, the security of our trade, and the honour of our country, demanded that war should be declared.

The conduct of the war, my lords, has been frequently the subject of censure; we are told of the inactivity of one fleet, and the imperfect equipment of another, the escape of our enemies, and the interception of our trading ships. War, my lords, is confessed to be uncertain, and ill success is not always the consequence of bad measures: naval wars are by the nature of the element on which they are to be conducted, more uncertain than any other; so that, though it cannot but be suspected that the common people will murmur at any disappointment, call every misfortune a crime, and think themselves betrayed by the ministry, if Spain is not reduced in a single summer, it might be reasonably hoped, that men enlightened by a long familiarity with the accounts of past, and instructed by personal experience in national transactions, will produce stronger ar-

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guments than want of success, when they charge the ministry with misconduct in war.

But, my lords, they have not any misfortunes to complain of; nor is the accusation, that we have been defeated ourselves, but that we have not enough molested our enemies. Of this, my lords, it is not easy to judge, at a distance from the scene of action, and without a more accurate knowledge of a thousand minute circumstances, which may promote or retard a naval expedition. It is undoubtedly true, my lords, that many of our merchant ships have been taken by the enemy; but it is not certain that they do not murmur equally that they have been obstructed in their commerce, and have been so little able to interrupt ours, since they have so many advantages from the situation of their coasts. When we reckon those that are lost, let us not forget to number those that have escaped. If admiral Vernon's fleet was ill provided with arms and ammunition, even then, let all censure be suspended till it can be proved that it was ill furnished by the fault of the ministry.

Nothing is more common, my lords, in all naval wars, than sudden changes of fortune; for on many occasions an accidental gust of wind, or unexpected darkness of the weather, may destroy or preserve a fleet from destruction, or may make the most formidable armaments absolutely useless; and in the present disposition of some people towards the ministry, I should not wonder to hear an alteration of wind charged upon them.

For what objections may they not expect, my lords, when all the disadvantages which the nation suffers from the enemies of his majesty, are imputed to them; when daily endeavours are used to make them suspected of favouring arbitrary power, for maintaining an army which nothing has made necessary but the struggles of those men whose principles have no other tendency than to enslave their country. Let not our domestick animosities be kept alive and fomented by a constant opposition to every design of the administration, nor our foreign enemies incited by the observation of our divisions, to treat us with

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insolence, interrupt our trade, prescribe bounds to our dominions, and threaten us with invasions—and the army may safely be disbanded.

For the ministry, my lords, are not conscious of having consulted any thing but the happiness of the nation, and have, therefore, no apprehensions of publick resentment, nor want the protection of an armed force. They desire only the support of the laws, and to them they willingly appeal from common fame and unequitable charges.

I mention the ministry, my lords, because I am unacquainted with any man who either claims or possesses the power or title of sole minister. I own, in my province, no superiour but his majesty, and am willing and ready to answer any charge which relates to that part of the publick business which I have had the honour to transact or direct.

A great part of what I have now offered was, therefore, no otherwise necessary on the present occasion, than because silence might have appeared like a consciousness of misconduct, and have afforded a new subject of airy triumph to the enemies of the administration; for very few of the transactions which have been so severely censured, fell under the particular inspection of the right honourable gentleman against whom the motion is levelled; he was not otherwise concerned in counselling or in ratifying, than as one of his majesty's privy council; and, therefore, though they should be defective, I do not see how it is reasonable or just, that he should be singled out from the rest for disgrace or punishment.

The motion, therefore, my lords, appears to me neither founded on facts, nor law, nor reason, nor any better grounds than popular caprice, and private malevolence.

If it is contrary to law to punish without proof; if it is not agreeable to reason that one should be censured for the offences of another; if it is necessary that some crime should be proved before any man can suffer as a criminal, then, my lords, I am convinced that your lordships will be unanimous in rejecting the motion.

The duke of ARGYLE spoke next, as follows:—My

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lords, if we will obstinately shut our eyes against the light of conviction; if we will resolutely admit every degree of evidence that contributes to support the cause which we are inclined to favour, and to reject the plainest proofs when they are produced against it, to reason and debate is to little purpose: as no innocence can be safe that has incurred the displeasure of partial judges, so no criminal that has the happiness of being favoured by them, can ever be in danger.

That any lord has already determined how to vote on the present occasion, far be it from me to assert: may it never, my lords, be suspected that private interest, blind adherence to a party, personal kindness or malevolence, or any other motive than a sincere and unmingled regard for the prosperity of our country, influences the decisions of this assembly; for it is well known, my lords, that authority is founded on opinion; when once we lose the esteem of the publick, our votes, while we shall be allowed to give them, will be only empty sounds, to which no other regard will be paid than a standing army shall enforce.

The veneration of the people, my lords, will not easily be lost: this house has a kind of hereditary claim to their confidence and respect; the great actions of our ancestors are remembered, and contribute to the reputation of their successours; nor do our countrymen willingly suspect that they can be betrayed by the descendants of those, by whose bravery and counsels they have been rescued from destruction.

But esteem must languish, and confidence decline, unless they are renewed and reanimated by new acts of beneficence; and the higher expectations the nation may have formed of our penetration to discover its real advantages, and of our steadiness to pursue them, the more violent will be its resentment, if it shall appear, on this important question, that we are either ignorant or timorous, that we are unconcerned at the miseries of the people, or content ourselves with pitying what our ancestors never failed to redress.

Let us, therefore, my lords, for our own interest, attend

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impartially to the voice of the people; let us hear their complaints with tenderness, and if, at last, we reject them, let it be evident that they were impartially heard, and that we only differed from them because we were not convinced.

Even then, my lords, we shall suffer, for some time, under the suspicion of crimes, from which I hope we shall always be free; the people will imagine that we were influenced by those whose interest it appears to continue their miseries, and, my lords, all the consolation that will be left us, must arise from the consciousness of having done our duty.

But, my lords, this is to suppose what I believe no history can furnish an example of; it is to conceive that we may inquire diligently after the true state of national affairs, and yet not discover it, or not be able to prove it by such evidence as may satisfy the people.

The people, my lords, however they are misrepresented by those who, from a long practice of treating them with disregard, have learned to think and speak of them with contempt, are far from being easily deceived, and yet farther from being easily deceived into an opinion of their own unhappiness: we have some instances of general satisfaction, and an unshaken affection to the government, in times when the publick good has not been very diligently consulted, but scarcely any of perpetual murmurs and universal discontent, where there have been plain evidences of oppression, negligence, or treachery.

Let us not, therefore, my lords, think of the people as of a herd to be led or driven at pleasure, as wretches whose opinions are founded upon the authority of seditious scribblers, or upon any other than that of reason and experience; let us not suffer them to be at once oppressed and ridiculed, nor encourage, by our example, the wretched advocates for those whom they consider as their enemies, nor represent them as imputing to the misconduct of the ministry the late contrariety of the winds, and severity of the winter.

The people, my lords, if they are mistaken in their

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charge, are mistaken with such evidence on their side, as never misled any nation before; not only their reason but their senses must have betrayed them; and those marks of certainty that have hitherto established truth, must have combined in the support of falsehood.

They are persuaded, my lords, too firmly persuaded, to yield up their opinions to rhetorick, or to votes, or any proof but demonstration, that there is a *first*, or, to speak in the language of the nation, a *sole* minister, one that has the possession of his sovereign's confidence, and the power of excluding others from his presence, one that exalts and degrades at his pleasure, and distributes, for his own purposes, the revenues of his master, and the treasure of the nation.

Of this, my lords, can it be maintained that they have no proof? Can this be termed a chimerical suspicion, which nothing can be produced to support? How can power appear but by the exercise of it? What can prove any degree of influence or authority, but universal submission and acknowledgment? And surely, my lords, a very transient survey of the court and its dependents, must afford sufficient conviction, that this man is considered by all that are engaged in the administration, as the only disposer of honours, favours, and employments.

Attend to any man, my lords, who has lately been preferred, rewarded, or caressed, you will hear no expressions of gratitude but to that *man*; no other benefactor is ever heard of, the royal bounty itself is forgotten and unmentioned, nor is any return of loyalty, fidelity, or adherence professed, but to the minister; the minister! a term which, however lately introduced, is now in use in every place in the kingdom, except this house.

Preferments, my lords, whether civil, ecclesiastical, or military, are either wholly in his hands, or those who make it the business of their lives to discover the high road to promotion, are universally deceived, and are daily offering their adorations to an empty phantom that has nothing to bestow; for, no sooner is any man infected with avarice or ambition, no sooner is extravagance reduced to beg new supplies from the publick, or wickedness obliged to

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seek for shelter, than this man is applied to, and honour, conscience, and fortune offered at his feet.

Did either those whose studies and station give them a claim to advancement in the church, or those whose bravery and long service entitle them to more honourable posts in the army; did either those who profess to understand the laws of their own country, or they who declare themselves versed in the interests and transactions of foreign powers, apply to any other man for promotion or employment, he might then, indeed, be called the *chief*, but not properly the *sole* minister.

But it is well known, my lords; many of us know it too well, that whatever be the profession or the abilities of any person, there is no hope of encouragement or reward by any other method than that of application to this man, that he shall certainly be disappointed who shall attempt to rise by any other interest, and whoever shall dare to depend on his honesty, bravery, diligence, or capacity, or to boast any other merit than that of implicit adherence to his measures, shall inevitably lie neglected and obscure.

For this reason, my lords, every one whose calmness of temper can enable him to support the sight, without starts of indignation and sallies of contempt, may daily see at the levee of this great man, what I am ashamed to mention, a mixture of men of all ranks and all professions, of men whose birth and titles ought to exalt them above the meanness of cringing to a mere child of fortune, men whose studies ought to have taught them, that true honour is only to be gained by steady virtue, and that all other arts, all the low applications of flattery and servility will terminate in contempt, disappointment, and remorse.

This scene, my lords, is daily to be viewed, it is ostentatiously displayed to the sight of mankind, the minister amuses himself in publick with the splendour, and number, and dignity of his slaves; and his slaves with no more shame pay their prostrations to their master in the face of day, and boast of their resolutions to gratify and support him. And yet, my lords, it is inquired why the people assert that there is a *sole* minister?

Those who deny, my lords, that there is a *sole* minister

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to whom the miscarriages of the government may justly be imputed, may easily persuade themselves to believe that there have been no miscarriages, that all the measures were necessary, and well formed, that there is neither poverty nor oppression felt in the nation, that our compliance with France was no weakness, and that our dread of the treaty of Vienna was not chimerical.

The treaty of Vienna, my lords, which has been the parent of so many terrours, consultations, embassies, and alliances is, I find, not yet to be acknowledged, what it certainly was, a mere phantom, an empty illusion, sent by the arts of the French to terrify our ministry. His late majesty's testimony is cited to prove that stipulations were really entered into by the two powers allied by that treaty, to destroy our trade, subvert our constitution, and set a new king upon the throne, without consent of the n tion.

Such improbabilities, my lords, ought, indeed, to be proved by a high testimony, by a testimony which no man shall dare to question or contradict; for as any man is at liberty to consult his reason, it will always remonstrate to him, that it is no less absurd to impute the folly of designing impossibilities to any powers not remarkable for weak counsels, than unjust to suspect princes of intending injuries, to which they have not been incited by any provocation.

But, my lords, nowithstanding the solemnity with which his late majesty has been introduced, his testimony can prove nothing more than that he believed the treaty to be such as he represents, that he had been deceived into false apprehensions and unnecessary cautions by his own ministers, as they had been imposed upon by the agents of France.

This is all, my lords, that can be collected from the royal speech, and to infer more from it is to suppose that the king was himself a party in the designs formed against him; for if he was not himself engaged in this treaty, he could only be informed, by another, of the stipulations, and could only report what he had been told upon the credit of the informer, a man, necessarily of very little credit.

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Thus, my lords, all the evidence of his late majesty vanishes into nothing more than the whisper of a spy.

But as great stress ought, doubtless, to be laid upon intelligence which the nation is believed to purchase at a very high price, let it be inquired, what proofs those have who dare to suspect the sagacity of our ministers, to put in the balance against their intelligence, and it will be discovered, my lords, that they have a testimony no less than that of the German emperour himself, who could not be mistaken with regard to the meaning of the treaty concluded at his own court, and to whom it will not be very decent to deny such a degree of veracity as may set him at least on the level with a traitor and a hireling.

If the treaty of Vienna was an imposture, most of our misfortunes are evidently produced by the weakness of the minister; but even supposing it real, as it was only a formidable mockery, an idle threat, that could never be executed, it was not necessary, that in order to obviate it, we should give ourselves implicitly into the hands of France.

It was not necessary, my lords, that we should suffer them first to elude the treaty of Utrecht, by making a port at Mardyke, and then directly and openly to violate it by repairing Dunkirk. That this latter is a port contrary to treaty, the bills of entry at the custom-house daily show; and as the customs are particularly under the inspection of the commissioners of the treasury, this man cannot plead ignorance of this infraction, were no information given him by other means. If it should now be asked, my lords, what, in my opinion, ought to be done, I cannot advise that we should attempt to demolish it by force, or draw upon ourselves the whole power of France by a declaration of war, but what it may be difficult now to remedy, it was once easy to obviate.

Had we shown the same contempt of the French power with our ancestors, and the same steadiness in our councils, the same firmness in our alliances, and the same spirit in our treaties, that court would never have ventured to break a known solemn stipulation, to have exasperated a brave and determined adversary by flagrant injustice, and

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to have exposed themselves to the hazard of a war, in which it would have been the interest of every prince of Europe who regarded justice or posterity to wish their defeat.

Now they see us engaged in a war, my lords, they may be animated to a more daring contempt of the faith of treaties, and insult us with yet greater confidence of success, as they cannot but remark the cowardice or the ignorance with which we have hitherto carried on this war. They cannot but observe that either our minister means in reality to make war rather upon the Britons than the Spaniards, or that he is totally unacquainted with military affairs, and too vain to ask the opinion of others who have greater knowledge than himself.

Nothing, my lords, is more apparent than that the minister was forced, by the continual clamours of the nation, to declare war, contrary to his own inclination, and that he always affected to charge it upon others, and to exempt himself from the imputation of it. It is, therefore, probable that he has not acted on this occasion so wisely as even his own experience and penetration might, if they were honestly employed, enable him to act, and that he has suffered our counsels to be embarrassed; that he sees with great tranquillity those suffering by the war, at whose request it was begun, and imagines it a proof of the excellence of his own scheme, that those who forced him to break it, may in time repent of their importunities.

For that in the management of the war, my lords, no regard has been had either to the advantages which the course of our trade inevitably gives to our enemies, or to the weakness to which the extent of their dominions necessarily subjects them, that neither the interest of the merchant has been consulted, nor the ease of the nation in general regarded, that the treasure of the publick has been squandered, and that our military preparations have intimidated no nation but our own, is evident beyond contradiction.

It is well known, my lords, to every man but the minister, that we have nothing to fear from either the fleets

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or armies of the Spaniards, that they cannot invade us except in America, and that they can only molest us by intercepting our traders. This they can only effect by means of their privateers, whose vessels, being light and active, may be easily fitted out, nimbly seize their prey, and speedily retire.

The experience of the last French war, my lords, might have taught us how much we have to fear from the activity of men incited by prospects of private gain, and equipped with that care and vigilance, which, however omitted in national affairs, the interest of particular men never fails to dictate. It is well known, my lords, how much we lost amidst our victories and triumphs, and how small security the merchants received from our magnificent navies, and celebrated commanders. It was, therefore, surely the part of wise men, not to miscarry twice by the same omission, when they had an opportunity to supply it.

I need not inform your lordships of what every reader of newspapers can tell, and which common sense must easily discover, that privateers are only to be suppressed by ships of the same kind with their own, which may scour the seas with rapidity, pursue them into shallow water, where great ships cannot attack them, seize them as they leave the harbours, or destroy them upon their own coasts.

That this is, in its own nature, at once obvious to be contrived, and easy to be done, must appear upon the bare mention of it, and yet that it has been either treacherously neglected, or ignorantly omitted, the accounts of every day have long informed us. Not a week passes in which our ships are not seized, and our sailors carried into a state of slavery. Nor does this happen only on the wide ocean, which is too spacious to be garrisoned, or upon our enemies' coasts, where they may have, sometimes, insuperable advantages, but on our own shores, within sight of our harbours, and in those seas of which we vainly style our nation the sovereign.

Who is there, my lords, whose indignation is not raised at such ignominy? Who is there by whom such negligence will not be resented? It cannot be alleged that we

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had not time to make better preparations; we had expected war long before we declared it, and if the minister was the only man by whom it was not expected, it will make another head of accusation.

Nor was his disregard of our dominions less flagrant than that of our trade: it was publickly declared by don Geraldino, that his master would never give up his claim to part of our American colonies, which yet were neither fortified on the frontiers, nor supplied with arms, nor enabled to oppose an enemy, nor protected against him.

One man there is, my lords, whose natural generosity, contempt of danger, and regard for the publick, prompted him to obviate the designs of the Spaniards, and to attack them in their own territories; a man, whom by long acquaintance I can confidently affirm to have been equal to his undertaking, and to have learned the art of war by a regular education, who yet miscarried in his design, only for want of supplies necessary to a possibility of success.

Nor is there, my lords, much probability that the forces sent lately to Vernon will be more successful; for this is not a war to be carried on by boys: the state of the enemy's dominions is such, partly by situation, and partly by the neglect of that man whose conduct we are examining, that to attack them with any prospect of advantage, will require the judgment of an experienced commander; of one who had learned his trade, not in Hyde-park, but in the field of battle; of one that has been accustomed to sudden exigencies and unsuspected difficulties, and has learned cautiously to form, and readily to vary his schemes.

An officer, my lords, an officer qualified to invade kingdoms is not formed by blustering in his quarters, by drinking on birth-nights, or dancing at assemblies; nor even by the more important services of regulating elections, and suppressing those insurrections which are produced by the decay of our manufactures. Many gallant colonels have led out their forces against women and children, with the exactest order, and scattered terrour over numerous bodies of colliers and weavers, who would find difficulties not very easily surmountable, were they to force a pass, or storm a fortress.

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But, my lords, those whom we have destined for the conquest of America, have not even flushed their arms with such services, nor have learned, what is most necessary to be learned, the habit of obedience; they are only such as the late frost hindered from the exercise of their trades, and forced to seek for bread in the service; they have scarcely had time to learn the common motions of the exercise, or distinguish the words of command.

Nor are their officers, my lords, extremely well qualified to supply those defects, and establish discipline and order in a body of new-raised forces; for they are absolutely strangers to service, and taken from school to receive a commission, or if transplanted from other regiments, have had time only to learn the art of dress. We have sent soldiers undisciplined, and officers unable to instruct them, and sit in expectation of conquests to be made by one boy acting under the direction of another.

To their commander-in-chief, my lords, I object nothing but his inexperience, which is by no means to be imputed to his negligence, but his want of opportunities; though of the rest, surely it may be said, that they are such a swarm as were never before sent out on military designs; and, in my opinion, to the other equipments, the government should have added provisions for women to nurse them.

Had my knowledge of war, my lords, been thought sufficient to have qualified me for the chief command in this expedition, or had my advice been asked with regard to the conduct of it, I should willingly have assisted my country with my person or my counsels; but, my lords, this man, who engrosses all authority, seems, likewise, to believe that he is in possession of all knowledge, and that he is equally capable, as he is equally willing, to usurp the supreme and uncontroulable direction both of civil and military affairs.

Why new forces were raised, my lords, it is very easy to judge; new forces required new commissions, and new commissions produced new dependencies, which might be of use to the minister at the approaching election; but why the new-raised troops were sent on this expedition rather

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than those which had been longer disciplined, it is very difficult to assign a reason, unless it was considered that some who had commands in them had likewise seats in the senate; and the minister was too grateful to expose his friends to danger, and too prudent to hazard the loss of a single vote. Besides the commander-in-chief, there is but one senator in the expedition, and, my lords, he is one of too great integrity to be corrupted, and, though sensible of the weakness of the troops, too brave to quit his post. How much our country may suffer by such absurd conduct, I need not explain to your lordships; it may easily be conceived how much one defeat may dispirit the nation, and to what attempts one victory may excite our enemies; those enemies whom, under a steady and wise administration, we should terrify into submission, even without an army.

I cannot forbear to remark on this occasion, how much the ignorance of this man has exposed a very important part of our foreign dominions to the attempts of the Spaniards. Gibraltar, my lords, is well known to be so situated, as to be naturally in very little danger of an attack from the land, and to command the country to a great distance; but these natural advantages are now taken away, or greatly lessened, by new fortifications, erected within much less than gunshot of the place, erected in the sight of the garrison, and while one of our admirals was cruizing upon the coast.

The pretence, my lords, upon which they were erected, was, that though Gibraltar was granted to Britain, yet there was no district appendent to it, nor did the British authority extend beyond the walls of the town: this poor excuse did the chicanery of the Spaniards invent, and with this, my lords, was our minister contented, either not knowing or not appearing to know what, I hope, the children whom we have despatched to America have been taught, and what no man, versed in national affairs, can be ignorant of without a crime, that when a fortress is yielded to another nation, the treaty always virtually includes, even without mentioning it, an extent of land as far as the guns of the fortification can reach.

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Whether this man, my lords, was so ignorant as to be deceived thus grossly, or so abandoned as willingly to deceive his country, he is equally unqualified to support the office of first minister, and almost equally deserves to be prosecuted by the indignation and justice of this assembly, in the severest manner; for how great must be his wickedness who undertakes a charge above his abilities, when his country may be probably ruined by his errours?

Your lordships cannot but observe, that I make use rather of the term minister than that of the administration, which others are so desirous to substitute in its place, either to elude all inquiry into the management of our affairs, or to cover their own shameful dependence.

Administration, my lords, appears to me a term without a meaning, a wild indeterminate word, of which none can tell whom it implies, or how widely it may extend: a charge against the administration may be imagined a general censure of every officer in the whole subordination of government, a general accusation of instruments and agents, of masters and slaves: my charge, my lords, is against the minister, against that man, who is believed by every one in the nation, and known by great numbers, to have the chief, and, whenever he pleases to require it, the sole direction of the publick measures; he, to whom all the other ministers owe their elevation, and by whose smile they hold their power, their salaries, and their dignity.

That this appellation is not without sufficient reason bestowed upon that man, I have already proved to your lordships; and as it has already been made appear that common fame is a sufficient ground of accusation, it will easily be shown that this man has a just claim to the title of minister; for if any man be told of an accusation of the minister; he will not ask the name of the person accused.

But there is in the motion one title conferred upon him, to which he has no pretensions; for there is no law for styling him the first commissioner of the treasury. The commissioners, my lords, who discharge, in a collective capacity, the office of lord high treasurer, are constituted by the same patent, invested with equal power and equal

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dignity, and I know not why this man should be exalted to any superiority over his associates.

If we take, my lords, a review of our affairs, and examine the state of the nation in all its relations and all its circumstances, we cannot, surely, conceive that we are in a state of prosperity, unless discontent at home, and scorn abroad, the neglect of our allies, and insolence of our enemies, the decay of trade, and multitude of our imposts, are to be considered as proofs of a prosperous and flourishing nation.

Will it be alleged, my lords, has this man one friend adventurous enough to assert, in open day, that the people are not starving by thousands, and murmuring by millions, that universal misery does not overspread the nation, and that this horrid series of calamities is not universally, among all conditions, imputed to the conduct of this man?

That great evils are felt, my lords, no Briton, I am certain, who converses promiscuously with his countrymen, will attempt to dispute, and until some other cause more proportioned to the effect shall be assigned, I shall join the publick in their opinion, and while I think this man the author of our miseries, shall conclude it necessary to comply with the motion.

Lord HARDWICK spoke next, to the following effect:—My lords, though I very readily admit that crimes ought to be punished, that a treacherous administration of publick affairs is, in a very high degree, criminal, that even ignorance, where it is the consequence of neglect, deserves the severest animadversion, and that it is the privilege and duty of this house to watch over the state of the nation, and inform his majesty of any errours committed by his ministers; yet I am far from being convinced either of the justice or necessity of the motion now under consideration.

The most flagrant and invidious part of the charge against the right honourable gentleman appears to consist in this, that he has engrossed an exorbitant degree of power, and usurped an unlimited influence over the whole system of government, that he disposes of all honours and

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preferments, and that he is not only *first* but *sole* minister.

But of this boundless usurpation, my lords, what proof has been laid before you? What beyond loud exaggerations, pompous rhetorick, and specious appeals to common fame; common fame, which, at least, may sometimes err, and which, though it may afford sufficient ground for suspicion and inquiry, was never yet admitted as conclusive evidence, where the immediate necessities of the publick did not preclude the common forms of examination, where the power of the offender did not make it dangerous to attack him by a legal prosecution, or where the conduct of the accusers did not plainly discover that they were more eager of blood than of justice, and more solicitous to destroy than to convict.

I hope none of these circumstances, my lords, can at present obstruct a candid and deliberate inquiry: with regard to the publick, I am not able to discover any pressing exigencies that demand a more compendious method of proceeding, than the established laws of the land, and the wisdom of our ancestors have prescribed. I know not any calamity that will be aggravated, nor any danger that will become more formidable, by suffering this question to be legally tried.

Nor is there, my lords, in the circumstances of the person accused, any thing that can incite us to a hasty process; for, if what is alleged by the noble lords is not exaggerated beyond the truth, if he is universally detested by the whole nation, and loaded with execrations by the publick voice; if he is considered as the author of all our miseries, and the source of all our corruptions; if he has ruined our trade, and depressed our power, impoverished the people, and attempted to enslave them, there is, at least, no danger of an insurrection in his favour, or any probability that his party will grow stronger by delays. For, my lords, to find friends in adversity, and assertors in distress, is only the prerogative of innocence and virtue.

The gentleman against whom this formidable charge is drawn up, is, I think, not suspected of any intention to

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have recourse either to force or flight; he has always appeared willing to be tried by the laws of his country, and to stand an impartial examination; he neither opposes nor eludes inquiry, neither flies from justice, nor defies it.

And yet less, my lords, can I suspect, that those by whom he is accused, act from any motive that may influence them to desire a sentence not supported by evidence, or conformable to truth; or that they can wish the ruin of any man whose crimes are not notorious and flagrant, that they persecute from private malice, or endeavour to exalt themselves by the fall of another.

Let us, therefore, my lords, inquire before we determine, and suffer evidence to precede our sentence. The charge, if it is just, must be, by its own nature, easily proved, and that no proof is brought may, perhaps, be sufficient to make us suspect that it is not just.

For, my lords, what is the evidence of common fame, which has been so much exalted, and so confidently produced? Does not every man see that, on such occasions, two questions may be asked, of which, perhaps, neither can easily be answered, and which, yet, must both be resolved before common fame can be admitted as a proof of facts.

It is first to be inquired, my lords, whether the reports of fame are necessarily or even probably true? A question very intricate and diffusive, entangled with a thousand, and involving a thousand, distinctions; a question of which it may be said, that a man may very plausibly maintain either side, and of which, perhaps, after months or years wasted in disputation, no other decision can be obtained than what is obvious at the first view, that they are often true, and often false, and, therefore, can only be grounds of inquiry, not reasons of determination.

But if it appear, my lords, that this oracle cannot be deceived, we are then to inquire after another difficulty, we are to inquire, *What is fame?*

Is fame, my lords, that fame which cannot err? a report that flies, on a sudden, through a nation, of which no man can discover the original; a sudden blast of rumour, that inflames or intimidates a people, and obtains, without au-

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thority, a general credit? No man versed in history can inquire whether such reports may not deceive. Is fame rather a settled opinion, prevailing by degrees, and for some time established? How long, then, my lords, and in what degree must it have been established, to obtain undoubted credit, and when does it commence infallible? If the people are divided in their opinions, as in all publick questions it has hitherto happened, fame is, I suppose, the voice of the majority; for, if the two parties are equal in their numbers, fame will be equal; then how great must be the majority before it can lay claim to this powerful auxiliary? and how shall that majority be numbered?

These questions, my lords, may be thought, perhaps with justice, too ludicrous in this place, but, in my opinion, they contribute to show the precarious and uncertain nature of the evidence so much confided in.

Common fame, my lords, is to every man only what he himself commonly hears; and it is in the power of any man's acquaintance to vitiate the evidence which they report, and to stun him with clamours, and terrify him with apprehensions of miseries never felt, and dangers invisible. But, without such a combination, we are to remember, that most men associate with those of their own opinions, and that the rank of those that compose this assembly naturally disposes such as are admitted to their company, to relate, or to invent, such reports as may be favourably received, so that what appears to one lord the general voice of common fame, may, by another, be thought only the murmur of a petty faction, despicable, with regard to their numbers, and detestable, if we consider their principles.

So difficult is it, my lords, to form any solid judgment concerning the extent and prevalence of any particular report, and the degree of credit to be given to it. The industry of a party may supply the defect of numbers, and some concurrent circumstances may contribute to give credit to a false report.

But, my lords, we are ourselves appealed to as witnesses of the truth of facts, which prove him to be *sole* minister,

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of the number of his dependents, the advancement of his friends, the disappointments of his opponents, and the declarations made by his followers of adherence and fidelity.

If it should be granted, my lords, that there is nothing in these representations exaggerated beyond the truth, and that nothing is represented in an improper light, what consequence can we draw, but that the followers of this gentleman, make use of those arts which have always been practised by the candidates of preferment, that they endeavour to gain their patron's smile by flattery and panegyrick, and to keep it by assiduity and an appearance of gratitude. And if such applications exalted any man to the authority and title of first minister, the nation has never, in my memory, been without some man in that station, for there is always some one to whom ambition and avarice have paid their court, and whose regards have been purchased at the expense of truth.

Nor is it to be wondered at, my lords, that posts of honour and profit have been bestowed upon the friends of the administration; for who enriches or exalts his enemies? who will increase the influence that is to be exerted against him, or add strength to the blow that is levelled at himself?

That the right honourable gentleman is the only disposer of honours, has never yet appeared; it is not pretended, my lords, that he distributes them without the consent of his majesty, nor even that his recommendation is absolutely necessary to the success of any man's applications. If he has gained more of his majesty's confidence and esteem than any other of his servants, he has done only what every man endeavours, and what, therefore, is not to be imputed to him as a crime.

It is impossible, my lords, that kings, like other men, should not have particular motions of inclination or dislike; it is possible that they may fix their affection upon objects not in the highest degree worthy of their regard, and overlook others that may boast of greater excellencies and more shining merit; but this is not to be supposed without proof, and the regard of the king, as of any other

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man, is one argument of desert more than he can produce, who has endeavoured after it without effect.

This imputed usurpation must be proved upon him either by his own confession, or by the evidence of others; and it has not been yet pretended that he assumes the title of *prime minister*, or indeed, that it is applied to him by any but his enemies; and it may easily be conceived how weakly the most uncorrupted innocence would be supported, if all the aspersions of its enemies were to be received as proofs against it.

Nor does it appear, my lords, that any other evidence can be brought against him on this head, or that any man will stand forth and affirm that either he has been injured himself by this gentleman, or known any injury done by him to another by the exertion of authority with which he was not lawfully invested; such evidence, my lords, the laws of our country require to be produced before any man can be punished, censured, or disgraced. No man is obliged to prove his innocence, but may call upon his prosecutors to support their accusation; and why this honourable gentleman, whatever may have been his conduct, should be treated in a different manner than any other criminal, I am by no means able to discover.

Though there has been no evidence offered of his guilt, your lordships have heard an attestation of his innocence, from the noble duke who spoke first against the motion, of whom it cannot be suspected that he would, voluntarily, engage to answer for measures which he pursued in blind compliance with the direction of another. The same testimony, my lords, can I produce, and affirm with equal truth, that in the administration of my province, I am independent, and left entirely to the decisions of my own judgment.

In every government, my lords, as in every family, some, either by accident or a natural industry, or a superiour capacity, or some other cause, will be engaged in more business, and treated with more confidence than others; but if every man is willing to answer for the conduct of his own province, there is all the security against corruption that

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can possibly be obtained; for if every man's regard to his own safety and reputation will prevent him from betraying his trust, or abusing his power, much more will it incite him to prevent any misconduct in another for which he must himself be accountable. Men are, usually, sufficiently tenacious of power, and ready to vindicate their separate rights, when nothing but their pride is affected by the usurpation, but surely no man will patiently suffer his province to be invaded when he may himself be ruined by the conduct of the invader.

Thus, my lords, it appears to me to be not only without proof, but without probability, and the first minister can, in my opinion, be nothing more than a formidable illusion, which, when one man thinks he has seen it, he shows to another, as easily frighted as himself, who joins with him in propagating the notion, and in spreading terrour and resentment over the nation, till at last the panick becomes general, and what was at first only whispered by malice or prejudice in the ears of ignorance or credulity, is adopted by common fame, and echoed back from the people to the senate.

I have hitherto, my lords, confined myself to the consideration of one single article of this complicated charge, because it appears to me to be the only part of it necessary to be examined; for if once it be acknowledged that the affairs of the nation are transacted not by the minister but the administration, by the council in which every man that sits there has an equal voice and equal authority, the blame or praise of all the measures must be transferred from him to the council, and every man that has advised or concurred in them, will deserve the same censure or the same applause; as it is unjust to punish one man for the crimes of another, it is unjust to choose one man out for punishment from among many others equally guilty.

But I doubt not, my lords, when all those measures are equitably considered, there will be no punishment to be dreaded, because neither negligence nor treachery will be discovered. For, my lords, with regard to the treaty of Vienna, let us suppose our ministers deceived by ignorant

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or corrupt intelligence, let us admit that they were cautious where there was no danger, and neglected some opportunities, which, if they had received better information, they might have improved to the advantage and security of the nation. What have they done, even under all these disadvantageous suppositions, but followed the lights which they judged most clear, and by which they hoped to be conducted to honour and to safety?

Policy, my lords, is very different from prescience; the utmost that can be attained is probability, and that, for the most part, in a low degree. It is observed, that no man is wise but as you take into consideration the weakness of another; a maxim more eminently true of political wisdom, which consists, very often, only in discovering designs which could never be known but by the folly or treachery of those to whom they are trusted. If our enemies were wise enough to keep their own secrets, neither our ministers nor our patriots would be able to know or prevent their designs, nor would it be any reproach to their sagacity, that they did not know what nobody would tell them.

If therefore, my lords, the princes, whose interest is contrary to our own, have been at any time served by honest and wise men, there was a time when our ministers could act only by conjecture, and might be mistaken without a crime.

If it was always in our power to penetrate into the intentions of our enemies, they must necessarily have the same means of making themselves acquainted with our projects, and yet when any of them are discovered we think it just to impute it to the negligence of the minister.

Thus, my lords, every man is inclined to judge with prejudice and partiality. When we suffer by the prudence of our enemies, we charge our ministers with want of vigilance, without considering, that very often nothing is necessary to elude the most penetrating sagacity, but obstinate silence.

If we inquire into the transactions of past times, shall we find any man, however renowned for his abilities, not sometimes imposed upon by falsehoods, and sometimes be-

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trayed by his own reasonings into measures destructive of the purposes which he endeavoured to promote? There is no man of whose penetration higher ideas have been justly formed, or who gave more frequent proofs of an uncommon penetration into futurity than Cromwell; and yet succeeding times have sufficiently discovered the weakness of aggrandizing France by depressing Spain, and we wonder now how so much policy could fall into so gross an errour, as not rather to suffer power to remain in the distant enemy, than transfer it to another equally divided from us by interest, and far more formidable by the situation of his dominions.

Cromwell, my lords, suffered himself to be hurried away by the near prospect of present advantages, and the apprehension of present dangers; and every other man has been, in the same manner, sometimes deluded into a preference of a smaller present advantage, to a greater which was more remote.

Let it not be urged, my lords, that politicks are advanced since the time of Cromwell, and that errours which might then be committed by the wisest administration, are now gross and reproachful; we are to remember that every part of policy has been equally improved, and that if more methods of discovery have been struck out, there have been likewise more arts invented of eluding it.

When, therefore, we inquire into the conduct, or examine the abilities of a minister, we are not to expect that he should appear never to have been deceived, but that he should never be found to have neglected any proper means of information, nor ever to have willingly given up the interest of his country; but we are not to impute to his weakness what is only to be ascribed to the wisdom of those whom he opposed.

If this plea, my lords, is reasonable, it will be necessary for those who support the motion, to prove, not only that the treaty of Vienna was never made, but that the falsehood of the report either was or might have been known by our ministers; otherwise, those who are inclined to retain a favourable opinion of their integrity and abilities,

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may conclude, that they were either not mistaken, or were led into errour by such delusions as would no less easily have imposed on their accusers, and that by exalting their enemies to their stations, they shall not much consult the advantage of their country.

This motion, therefore, my lords, founded upon no acknowledged, no indisputable facts, nor supported by legal evidence; this motion, which, by appealing to common fame, as the ultimate judge of every man's actions, may bring every man's life, or fortune, into danger; this motion, which condemns without hearing, and decides without examining, I cannot but reject, and hope your lordships will concur with me.

Lord CARLISLE spoke next, to the following purport: —My lords, the state of the question before us has, in my opinion, not been rightly apprehended by the noble lord who spoke last, nor is the innocence or guilt of the minister the chief question before us, because a minister may possibly mean well, and yet be, in some particular circumstances, unqualified for his station.

He may not only want the degree of knowledge and ability requisite to make his good intentions effectual, but, my lords, however skilful, sagacious, or diligent, he may be so unfortunate, in some parts of his conduct, as to want the esteem and confidence of the people.

That a very able and honest minister may be misinformed by his intelligence, disappointed by his agents, or baffled by other men of equal capacity and integrity with himself, cannot be controverted; but it must surely be owned likewise, that when this has happened so often, and in cases of such importance, as to deprive him entirely of the regard and affection of the people; when he is reduced to intrench himself behind his privileges, to employ all the influence of the crown for his own security, and make it his daily endeavour to create new dependencies, he ought to be pitied and discarded.

That this is the state of the minister whose removal is desired by the motion, cannot be denied; the exaltation of his adherents to places and preferments, the noble lord

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has been so far from questioning, that he has endeavoured to justify it, and has in plain terms inquired, who would have acted otherwise?

Every man, my lords, would have acted otherwise, whose character had not been blasted by general detestation; every man would have acted otherwise, who preferred the publick good to his own continuance in power; and every man has acted otherwise who has distinguished himself as a friend to the publick.

It is the interest of the nation, my lords, that every office should be filled by that man who is most capable of discharging it, whatever may be his sentiments with regard to the minister; and that his attention should be confined to his employment, rather than distracted by various concerns and opposite relations. It is, therefore, an injury to the publick, to thrust a skilful commissioner into the senate, or to embarrass an industrious senator with a post or commission.

Yet, my lords, that multitudes have obtained places, who have no acquaintance with the duties of their offices, nor any other pretensions to them, than that they have seats in the other house, and that by distinguishing himself in that assembly, any man may most easily obtain the preferments of the crown, is too obvious for controversy.

This practice, my lords, is a sufficient foundation for the motion; a practice so injurious to the nation, so long continued, and so openly avowed, requires to be vigorously opposed, lest it should become established by long custom, and entangle itself with our constitution.

If the minister, my lords, has made it necessary to employ none but his adherents and blind followers, this necessity is alone a sufficient proof how little he confides in his own prudence or integrity, how apprehensive he is of the censure of the senate, and how desirous of continuing his authority, by avoiding it. And, surely, my lords, it is our duty, as well as our right, to address the throne, that a minister should be removed who fears the people, since few men fear without hating, and nothing so much contributes to make any man an enemy to his country, as the consciousness that he is universally abhorred.

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But, my lords, if this is done by him without necessity, if the general preference of his friends is only the consequence of mistaken judgment, or corrupt gratitude, this address is equally necessary, because the effects are equally pernicious.

When a minister, suspected of ill intentions, is continued in employment, discontent must naturally spread over the nation; and if the end of government be the happiness of the people; if suspicion and jealousy be contrary to a state of happiness; and if this suspicion which generally prevails, this discontent which fills the whole nation, can only be appeased by the removal of the minister; prudence, justice, and the examples of our ancestors, ought to influence us to endeavour that the affairs of the nation may be transferred to such whose greater integrity or wisdom has recommended them to the affection of the people.

In this motion, therefore, we need not be supposed to imply that the minister is either ignorant or corrupt, but that he is disliked by the people, disliked to such a degree, my lords, that it is not safe for his majesty to employ him.

It is, doubtless, our duty, my lords, to guard both the rights of the people, and the prerogatives of the throne, and with equal ardour to remonstrate to his majesty the distresses of his subjects, and his own danger. We are to hold the balance of the constitution, and neither to suffer the regal power to be overborne by a torrent of popular fury, nor the people to be oppressed by an illegal exertion of authority, or the more insupportable hardships of unreasonable laws.

By this motion, my lords, the happiness of the people, and the security of his majesty, are at once consulted, nor can we suppress so general a clamour without failing equally in our duty to both.

To what, my lords, is the untimely end of so many kings and emperours to be imputed, but to the cowardice or treachery of their counsellors, of those to whom they trusted that intercourse, which is always to be preserved between a monarch and his people? Were kings honestly

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informed of the opinions and dispositions of their subjects, they would never, or, at least rarely, persist in such measures, as, by exasperating the people, tend necessarily to endanger themselves.

It is the happiness of a British monarch, that he has a standing and hereditary council, composed of men who do not owe their advancement to the smiles of caprice, or the intrigues of a court; who are, therefore, neither under the influence of a false gratitude, nor of a servile dependence, and who may convey to the throne the sentiments of the people, without danger, and without fear. But, my lords, if we are either too negligent, or too timorous to do our duty, how is the condition of our sovereign more safe, or more happy than that of an emperour of Turkey, who is often ignorant of any complaints made against the administration, till he hears the people thundering at the gates of his palace.

Let us, therefore, my lords, whatever may be our opinion of the conduct of the minister, inform his majesty of the discontent of his subjects, since, whether it is just or not, the danger is the same, and whenever any danger threatens the king, we ought either to enable him to oppose, or caution him to avoid it.

Lord CHOLMONDELEY spoke next, to the following effect:—My lords, I cannot but observe in this debate an ambition of popularity, in my opinion not very consistent with the freedom of debate, and the dignity of this assembly, which ought to be influenced by no other motive than the force of reason and truth.

It has been a common method of eluding the efficacy of arguments, to charge the opponent with blind adherence to interest, or corrupt compliance with the directions of a court; nor has it been less frequent to prevent inquiries into publick measures, by representing them as the clamours of faction, the murmurs of disobedience, and the prelude to rebellion.

So necessary, my lords, has it been always thought to be uninfluenced in our examinations by dependence or interest, that the most irrefragable reasons have lost the

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power of conviction, by the condition and characters of those by whom they were produced; and so much is it expected from innocence and justice to despise all foreign assistance, and to stand the test of inquiry without asking the support of power, that every man has been concluded guilty that has fled for shelter to the throne.

And surely, my lords, if that man's suffrage is of little weight, who appears determined to subscribe to the dictates of a minister, no greater credit can be assigned to another, who professes himself only the echo of the clamours of the populace. If it be a proof of a weak cause, and consciousness of misconduct, to apply to the crown for security and protection, it may be accounted an acknowledgment of the insufficiency of arguments, when the people is called in to second them, and they are only to expect success from the violence of multitudes.

That all government is instituted for the happiness of the people, that their interest ought to be the chief care of the legislature, that their complaints ought patiently to be heard, and their grievances speedily redressed, are truths well known, generally acknowledged, and, I hope, always predominant in the mind of every lord in this assembly. But, that the people cannot err, that the voice of fame is to be regarded as an oracle, and every murmur of discontent to be pacified by a change of measures, I have never before heard, or heard it only to disregard it.

True tenderness for the people, my lords, is to consult their advantage, to protect their liberty, and to preserve their virtue; and perhaps examples may be found sufficient to inform us that all these effects are often to be produced by means not generally agreeable to the publick.

It is possible, my lords, for a very small part of the people to form just ideas of the motives of transactions and the tendency of laws. All negotiations with foreign powers are necessarily complicated with many different interests, and varied by innumerable circumstances, influenced by sudden exigencies, and defeated by unavoidable accidents. Laws have respect to remote consequences, and involve a multitude of relations which it

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requires long study to discover. And how difficult it is to judge of political conduct, or legislative proceedings, may be easily discovered by observing how often the most skilful statesmen are mistaken, and how frequently the laws require to be amended.

If then, my lords, the people judge for themselves on these subjects, they must necessarily determine without knowledge of the questions, and their decisions are then of small authority. If they receive, implicitly, the dictates of others, and blindly adopt the opinions of those who have gained their favour and esteem, their applauses and complaints are, with respect to themselves, empty sounds, which they utter as the organs of their leaders. Nor are the desires of the people gratified when their petitions are granted; nor their grievances overlooked when their murmurs are neglected.

As it is no reproach to the people that they cannot be the proper judges of the conduct of the government, so neither are they to be censured when they complain of injuries not real, and tremble at the apprehension of severities unintended. Unjust complaints, my lords, and unreasonable apprehensions, are to be imputed to those who court their regard only to deceive them, and exalt themselves to reputation by rescuing them from grievances that were never felt, and averting dangers that were never near.

He only who makes the happiness of the people his endeavour, loves them with a true affection and a rational tenderness, and he certainly consults their happiness who contributes to still all groundless clamours, and appease all useless apprehensions, who employs his care, not only to preserve their quiet and their liberty, but to secure them from the fear of losing it, who not only promotes the means of happiness, but enables them to enjoy it.

Thus, it appears, my lords, that it is possible to be a friend, at the same time, to the people and the administration, and that no man can more deserve their confidence and applause, than he that dissipates their unreasonable terrours, and contributes to reconcile them to a good government.

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That most of the clamours against the present government arise from calumnies and misrepresentations, is apparent from the sanction of the senate, which has been given to all the measures that are charged as crimes upon the administration.

That the army is supported by the consent of the senate, that the senate has approved the convention, and that our taxes are all imposed and continued by the senate, cannot be denied. What then is demanded by those that censure the conduct of publick affairs, but that their opinion should be considered as an overbalance to the wisdom of the senate, that no man should be allowed to speak but as they dictate, nor to vote but as they shall influence them by their rhetorick or example?

To repeat the particular topicks of accusation, and recapitulate the arguments which have been produced to confute it, would be a tedious and unnecessary labour; unnecessary, because it is well known that they once had the power of convincing this house, and that nothing has since happened to lessen their force, and because many of them now have been already repeated by the noble lords that have opposed the motion.

To search far backward for past errours, and to take advantage of later discoveries in censuring the conduct of any minister, is in a high degree disingenuous and cruel; it is an art which may be easily practised, of perplexing any question, by connecting distant facts, and entangling one period of time with another.

The only candid method of inquiry is to recur back to the state of affairs, as it then appeared, to consider what was openly declared, and what was kept impenetrably secret, what was discoverable by human sagacity, and what was beyond the reach of the most piercing politician.

With regard to the Hanover treaty, it is not, my lords, requisite that we should engage ourselves in a very minute examination; for it was not only not transacted by the right honourable gentleman whose behaviour is the subject of this debate, but cannot be proved to have been known by him till it was formally ratified. If he afterwards ap-

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proved it either in the council or the senate, he cannot justly, how destructive or ridiculous soever that treaty may be thought, be charged with more than his share of the guilt, the bare guilt of a single vote.

But there is one accusation yet more malicious, an accusation not only of crimes which this gentleman did not commit, but which have not yet been committed, an accusation formed by prying into futurity, and exaggerating misfortunes which are yet to come, and which may probably be prevented. Well may any man, my lords, think himself in danger, when he hears himself charged not with high crimes and misdemeanours, not with accumulative treason, but with misconduct of publick affairs, past, present, and future.

The only charge against this gentleman, which seems to relate more to him than to any other man engaged in the administration, is the continuance of the harbour of Dunkirk, which, says the noble duke, he must be acquainted with as commissioner of the treasury; but if the title of first commissioner be denied, if his authority be but the same with that of his associates, whence comes it, my lords, that he is more particularly accused than they? Why is his guilt supposed greater if his power is only equal?

But, my lords, I believe it will appear, that no guilt has been contracted on this account, and that Dunkirk was always intended, even by those that demanded the demolition of it, to continue a harbour for small trading vessels, and that if larger ever arrived from thence, they lay at a distance from the shore, and were loaded by small vessels from the town.

With regard to other affairs, my lords, they were all transacted by the council, not by his direction, but with his concurrence; and how it is consistent with justice to single him out for censure, I must desire the noble lords to show who approve the motion.

If the people, my lords, have been, by misrepresentations industriously propagated, exasperated against him, if the general voice of the nation condemns him, we ought more cautiously to examine his conduct, lest we should

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add strength to prejudice too powerful already, and instead of reforming the errours, and regulating the heat of the people, inflame their discontent and propagate sedition.

The utmost claim of the people is to be admitted as accusers, and sometimes as evidence, but they have no right to sit as judges, and to make us the executioners of their sentence; and as this gentleman has yet been only condemned by those who have not the opportunities of examining his conduct, nor the right of judging him, I cannot agree to give him up to punishment.

Lord HALIFAX spoke next, in substance as follows:—My lords, though I do not conceive the people infallible, yet I believe that in questions like this they are seldom in the wrong, for this is a question not of argument but of fact; of fact discoverable, not by long deductions and accurate ratiocinations, but by the common powers of seeing and feeling.

That it is difficult to know the motives of negotiations, and the effects of laws, and that it requires long study and intense meditation to discover remote consequences, is indubitably true. And, with regard to the people in general, it cannot be denied, that neither their education qualifies them, nor their employments allow them to be much versed in such inquiries.

But, my lords, to refer effects to their proper causes, and to observe, when consequences break forth, from whence they proceed, is no such arduous task. The people of the lowest class may easily feel that they are more miserable this year than the last, and may inquire and discover the reason of the aggravation of their misery; they may know that the army is increased, or our trade diminished; that the taxes are heavier, and penal laws become more grievous.

Nor is it less easy for them to discover that these calamities are not brought upon them by the immediate hand of heaven, or the irresistible force of natural causes; that their towns are not ruined by an invasion, nor their trade confined by a pestilence; they may then easily collect, that they are only unhappy by the misconduct of their go-

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verseurs; they may assign their infelicity to that cause, as the only remaining cause that is adequate to the effect.

If it be granted, my lords, that they may be mistaken in their reasoning, it must be owned, that they are not mistaken without probabilities on their side: it is probable that the ministry must injure the publick interest when it decays without any other visible cause; it is still more probable, when it appears that among those whose station enables them to enter into national inquiries, every man imputes his calamities to the minister, who is not visibly dependent on his favour. It becomes more probable, yet, when it appears that it is the great business of the minister to multiply dependencies, to list accomplices, and to corrupt his judges.

At least, my lords, if it be granted, which, surely, cannot be denied, that the people may be sensible of their own miseries, it is their part to declare their sufferings, and to apply to this house for relief, and it is our business to discover the authors of them, and bring them to punishment.

That the people are very loud and importunate in their complaints, is daily evident; nor is it less apparent, that their complaints are just; if, therefore, their miseries must have an author, let the defenders of this gentleman point out the man whom they may more properly accuse.

But, my lords, nothing is more evident, than that the crimes and the criminal are equally known, that there is one man predominant in his majesty's councils, and that it has long been the practice of that man at once to oppress and ridicule the people, to plunder them, and set them at defiance.

Nothing is more known than that this man pretends to a superiour knowledge, and exerts a superiour power in the management of the publick revenues, and that they have been so ill managed for many years, that the expenses of peace have been almost equal to those of a most vigorous and extensive war.

Nothing is more probable, than that most of the foreign negotiations are conducted by his direction, nor more cer-

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tain, than that they have generally tended only to make us contemptible.

That the excise was projected in his own head, that it was recommended by him upon his own conviction, and pressed upon the legislature by his influence, cannot be questioned; and if this were his only crime, if this were the only scheme of oppression that ever he planned out, it is such a declaration of war upon the publick liberty, such an attack of our natural and constitutional rights, as was never, perhaps, pardoned by any nation.

Nor is it less notorious, that the late infamous convention was transacted by one of his own dependents, that he palliated or concealed the losses of our merchants, that he opposed the declaration of war, and has since obstructed its operations.

On this occasion, my lords, it may be useful to remark the apparent partiality of this gentleman's vindicators, who declare, that measures are not to be censured as imprudent, only because they are unsuccessful, and yet when other instances of his conduct fall under our examination, think it a sufficient defence to exclaim against the unreasonableness of judging before the event.

To deny that, in the conduct both of civil and military affairs, he has obtained, I know not by what means, an authority superiour to that of any other man, an authority irresistible, uncontroulable, and regal, is to oppose not only common fame, but daily experience. If as commissioner of the treasury he has no more power than any of his associates, whence is it, that to oppose or censure him, to doubt of his infallibility, to suspect his integrity, or to obstruct his influence, is a crime punished with no lighter penalty than forfeiture of employment, as appears, my lords, from the late dismission of a gentleman, against whom nothing can be alleged but an obstinate independence and open disregard of this arbitrary minister.

But happy would it be, my lords, for this nation, if he endeavoured not to extend his authority beyond the treasury or the court; if he would content himself with tyrannising over those whose acceptance of salaries and prefer-

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ments has already subjected them to his command, without attempting to influence elections, or to direct the members of the other house.

How much the influence of the crown has operated upon all publick councils since the advancement of this gentleman, how zealously it has been supported, and how industriously extended, is unnecessary to explain, since what is seen or felt by almost every man in the kingdom cannot reasonably be supposed unknown to your lordships.

Nothing can be more contrary to the true notion of the British constitution, than to imagine, that by such measures his majesty's real interest is advanced. The true interest, my lords, of every monarch, is to please the people, and the only way of pleasing Britons, is to preserve their liberties, their reputation, and their commerce. Every attempt to extend the power of the crown beyond the limits prescribed by our laws, must in effect make it weaker, by diverting the only source of its strength, the affection of his subjects.

It is, therefore, my opinion, my lords, that we ought to agree to this motion, as a standing memorial not only of our regard for the nation, but of our adherence to our sovereign; that his councils may be no longer influenced by that man whose pernicious advice, and unjustifiable conduct, has added new hopes and new strength to his enemies, impoverished and exasperated his subjects, inflamed the discontent of the seditious, and almost alienated the affection of the loyal.

The bishop of SALISBURY spoke next, to the following purport:—My lords, after all the exaggerations of the errours, and all the representations of the malconduct of the right honourable gentleman; after the most affecting rhetorick, and the most acute inquiries, nothing has appeared of weight sufficient to prevail with me to agree to the present motion; a motion, if not of an unprecedented, yet of a very extraordinary kind, which may extend in its consequences to futurity, and be, perhaps, more dangerous to innocence than guilt.

I cannot yet discover any proof sufficient to convict him

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of having usurped the authority of *first* minister, or any other power than that accidental influence which every man has, whose address or services have procured him the favour of his sovereign.

The usurpation, my lords, of regal power must be made evident by somewhat more than general assertions, must appear from some publick act like that of one of the prelates left regent of the kingdom by Richard the first, who, as soon as the king was gone too far to return, in the first elevations of his heart, began his new authority by imprisoning his colleague.

To charge this gentleman with the dismission of any of his colleagues, can, after the strongest aggravations, rise no higher than to an accusation of having advised his majesty to dismiss him, and even that, my lords, stands, at present, unsupported by evidence; nor could it, however uncontestably proved, discover either wickedness or weakness, or show any other authority than every man would exercise, if he were able to attain it.

If he had discharged this gentleman by his own authority, if he had transacted singly any great affair to the disadvantage of the publick, if he had imposed either upon the king or the senate by false representations, if he had set the laws at defiance, and openly trampled on our constitution, and if by these practices he had exalted himself above the reach of a legal prosecution, it had been worthy of the dignity of this house, to have overleaped the common boundaries of custom, to have neglected the standing rules of procedure, and to have brought so contemptuous and powerful an offender to a level with the rest of his fellow-subjects by expeditious and vigorous methods, to have repressed his arrogance, broken his power, and overwhelmed him at once by the resistless weight of an unanimous censure.

But, my lords, we have in the present case no provocations from crimes either openly avowed, or evidently proved; and certainly no incitement from necessity to exert the power of the house in any extraordinary method of prosecution. We may punish whenever we can con-

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viet, and convict whenever we can obtain evidence; let us not, therefore, condemn any man unheard, nor punish any man uncondemned.

The duke of BEDFORD spoke next, in substance as follows:—My lords, it is easy to charge the most blameless and gentle procedure with injustice and severity, but it is not easy to support such an accusation without confounding measures widely different, and disguising the nature of things with fallacious misrepresentations.

Nothing is more evident than that neither condemnation nor punishment is intended by the motion before us, which is only to remove from power a man who has no other claim to it than the will of his master, and who, as he had not been injured by never obtaining it, cannot justly complain that it is taken from him.

The motion, my lords, is so far from inflicting punishment, that it confers rewards, it leaves him in the possession of immense wealth, however accumulated, and enables him to leave that office in security, from which most of his predecessors have been precipitated by national resentment, or senatorial prosecution.

There is no censure, my lords, made of his conduct, no charge of weakness, or suspicion of dishonesty, nor can any thing be equitably inferred from it, than that in the opinion of this house his majesty may probably be served by some other person, more to the satisfaction of the British nation.

Though it is not just to punish any man without examination, or to censure his conduct merely because it has been unpleasing or unsuccessful; though it is not reasonable that any man should forfeit what he possesses in his own right, without a crime, yet it is just to withdraw favours only to confer them on another more deserving; it is just in any man to withhold his own, only to preserve his right, or obviate an injurious prescription, and it is, therefore, just to advise such a conduct whenever it appears necessary to those who have the right of offering advice.

To advise his majesty, my lords, is not only our right but our duty; we are not only justifiable in practising, but criminal in neglecting it. That we should declare our

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apprehensions of any impending danger, and our disapprobation of publick misconduct, is expected both by our sovereign and the people, and let us not, by omitting such warnings, lull the nation and our sovereign into a dangerous security, and, from tenderness to one man, prolong or increase the miseries of our country, and endanger or destroy the honour of our sovereign.

Lord HERVEY spoke next, in effect as follows:—My lords, this is surely a day destined by the noble lords who defend the motion, for the support of paradoxical assertions, for the exercise of their penetration, and ostentation of their rhetorick; they have attempted to maintain the certainty of common fame in opposition to daily observation; the existence of a sole minister in contradiction to the strongest evidence; and having by these gradations arrived at the highest degree of controversial temerity, are endeavouring to make it appear that the publick censure of the house of lords is no punishment.

If we take the liberty, my lords, of using known words in a new sense, in a meaning reserved to ourselves only, it will, indeed, be difficult to confute, as it will be impossible to understand us; but if punishment be now to be understood as implying the same idea which has hitherto been conveyed by it, it will not be easy to show that a man thus publickly censured is not severely punished, and, if his crimes are not clearly proved, punished in opposition to law, to reason, and to justice.

It has been hitherto imagined, my lords, that no punishment is heavier than that of infamy; and shame has, by generous minds, been avoided at the hazard of every other misery. That such a censure as is proposed by the motion, must irreparably destroy the reputation of the person against whom it is directed, that it must confirm the reports of his enemies, impair the esteem of his friends, mark him out to all Europe as unworthy of his sovereign's favour, and represent him to latest posterity as an enemy to his country, is indisputably certain.

These, my lords, are the evident consequences of the address moved for by the noble lord; and, if such conse-

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quences are not penal, it will be no longer in our power to enforce our laws by sanctions of terrour.

To condemn a man unheard, is an open and flagrant violation of the first law of justice, but it is still a wider deviation from it to punish a man unaccused; no crime has been charged upon this gentleman proportioned to the penalty proposed by the motion, and the charge that has been produced is destitute of proof.

Let us, therefore, my lords, reverence the great laws of reason and justice, let us preserve our high character and prerogative of judges, without descending to the low province of accusers and executioners; let us so far regard our reputation, our liberty, and our posterity, as to reject the motion.

[Several other lords spoke in this debate, which lasted eleven hours; at length the question was put, and, on a division, carried in the negative. Content, 59. Not content, 108.]

After the determination of the foregoing question, the duke of MARLBOROUGH rose up, and spoke as follows:—My lords, though your patience must undoubtedly be wearied by the unusual length of this day's debate, a debate protracted, in my opinion, not by the difficulty of the question, but by the obstinacy of prejudice, the ardour of passion, and the desire of victory; yet, I doubt not but the regard which this assembly has always paid to the safety and happiness of the state, will incline you to support the fatigue of attention a little longer, and to hear with your usual impartiality another motion.

The proposition which I am about to lay down, my lords, is not such as can admit of controversy; it is such a standing principle as was always acknowledged, even by those who have deviated from it. Such a known truth as never was denied, though it appears sometimes to have been forgotten.

But, my lords, as it never can be forgotten, without injury to particular persons, and danger to the state in general, it cannot be too frequently recollected, or too firmly established; it ought not only to be tacitly admitted, but pub-

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lickly declared, since no man's fortune, liberty, or life, can be safe, where his judges shall think themselves at liberty to act upon any other principle. I therefore move, "That any attempt to inflict any kind of punishment on any person without allowing him an opportunity to make his defence, or without any proof of any crime or misdemeanour committed by him, is contrary to natural justice, the fundamental laws of this realm, and the ancient established usage of the senate, and is a high infringement of the liberties of the subject."

He was seconded by the duke of DEVONSHIRE:—My lords, though the motion made by the noble duke is of such a kind, that no opposition can be expected or feared, yet I rise up to second it, lest it should be imagined that what cannot be rejected is yet unwillingly admitted.

That where this maxim is not allowed and adhered to, rights and liberties are empty sounds, is uncontestably evident; if this principle be forsaken, guilt and innocence are equally secure, all caution is vain, and all testimony useless. Caprice will, in our courts, supply the place of reason, and all evidence must give way to malice, or to favour.

I hope, therefore, my lords, that your regard to justice, to truth, and to your own safety, will influence you to confirm this great and self-evident principle by a standing resolution, that may not only restrain oppression in the present age, but direct the judiciary proceedings of our successors.

Lord LOVEL rose next, and spoke as follows:—My lords, liberty and justice must always support each other, they can never long flourish apart; every temporary expedient that can be contrived to preserve or enlarge liberty by means arbitrary and oppressive, forms a precedent which may, in time, be made use of to violate or destroy it. Liberty is in effect suspended whenever injustice is practised; for what is liberty, my lords, but the power of doing right without fear, without control, and without danger.

But, my lords, if any man may be condemned unheard,

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if judgment may precede evidence, what safety or what confidence can integrity afford? It is in vain that any man means well, and acts prudently; it is even in vain that he can prove the justice and prudence of his conduct.

By liberty, my lords, can never be meant the privilege of doing wrong without being accountable, because liberty is always spoken of as happiness, or one of the means to happiness, and happiness and virtue cannot be separated. The great use of liberty must, therefore, be to preserve justice from violation; justice, the great publick virtue, by which a kind of equality is diffused over the whole society, by which wealth is restrained from oppression, and inferiority preserved from servitude.

Liberty, general liberty, must imply general justice; for wherever any part of a state can be unjust with impunity, the rest are slaves. That to condemn any man unheard is oppressive and unjust, is beyond controversy demonstrable, and that no such power is claimed by your lordships will, I hope, appear from your resolutions.

Lord GOWER spoke next:—My lords, to the principle laid down by those noble lords, I have no objection, and concur with them in hoping that all our proceedings will contribute to establish it; but why it should be confirmed by a formal resolution, why the house should solemnly declare their assent to a maxim which it would be madness to deny, it is beyond my penetration to discover.

Though the noble lord's position cannot be controverted, yet his motion, if it is designed to imply any censure of the proceedings of this day, may reasonably be rejected, and that some censure is intended we may conjecture, because no other reason can be given why it was not made at some other time.

Lord HALIFAX then rose:—My lords, that a censure is intended, will, I suppose, not be denied, and that such a censure is unjust must doubtless be the opinion of all those who are supposed to have incurred it, and it will, therefore, not be wondered that the motion is opposed by them, as indecent and calumnious: late as it is, my lords, I will not, for my part, suffer such an indignity without op-

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position, and shall think my conscience and my honour require, that I should not be overborne by perseverance or by numbers, but that I should, if I cannot convince the noble lords by argument, of the impropriety of the motion, record my reasons against it, which may, perhaps, be more candidly received by posterity.

Lord TALBOT spoke to this effect:—My lords, it is not without indignation that I hear a motion so injurious to my own honour, and to that of the noble lords who have concurred with me in the last debate, nor without contempt that I observed the motion confounded with the positions contained in it; the low subtilty of such conduct is no less to be despised than the malice to be abhorred.

Fifty-nine lords are here branded as strangers, or enemies to the first principle of judicial equity, for doing what will entitle them to the general applause of every man in the kingdom that has the full possession of his understanding, or the free use of his senses; of every man that can distinguish truth, or feel oppression.

They have endeavoured to rescue their country from the rapine of pensioners and the tyranny of an army, from perpetual taxes, and useless expenses; they have attempted to expose the errours of arrogant ignorance, and to depress the power of greatness, founded on corruption, and swelling beyond legal restraints.

That for such attempts they are vilified and reproached, is not to be observed without indignation and astonishment; astonishment which nothing could abate but the recollection of the situation of those lords who have united to promote so unjust a censure.

Let us, my lords, consider the circumstances of the three noble lords by whom this motion has been made and supported, let us take a view of their conduct, and consider the visible motives to which it may be ascribed, their places, their dependence———

Lord CHOLMONDELEY spoke next, in substance as follows:—My lords, I rise thus abruptly to preserve that order and decency which is essential to publick councils, and particularly suitable to the dignity of this assembly,

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which can only become a scene of tumult and confusion by such methods of debate, and lose that respect which it has hitherto preserved, not only by the justice of its determinations, but by the solemn grandeur of its procedure.

The motion, my lords, is allowed to contain nothing but what every man avows in speculation, and observes, or ought to observe, in publick transactions, and yet those that offer and support it are represented as abettors of oppression, and instruments of tyranny.

It is surely wonderful, my lords, that those who are solicitous for the preservation of their own honour, and so diligent to obviate the most remote reflection that may glance upon it, should not remember, that the same delicacy may raise in others the same resentment, when their reputation is openly attacked; and that while they are asserting the right of the minority to an exemption from censure, they shall not allow the greater number at least an equal claim to the same privilege.

Lord TALBOT then resumed:—My lords, whether any thing has escaped from me that deserves such severe animadversions, your lordships must decide. For what I might intend to say, since by the interruption of that noble lord I was hindered from proceeding, I hope I shall not be accountable.

Not that I acknowledge myself to have asserted any thing either contrary to law, or to the privileges of the house, or inconsistent with the character of an independent lord, a character which I shall always endeavour to preserve, and which I will not forfeit for the smiles of a court, the dignity of high employment, or the affluence of a pension.

Nor, my lords, whenever the necessities of my country require that I should speak my sentiments with freedom, will I be awed into silence and submission, but will set any power at defiance that shall dare to restrain me.

I pretend not, my lords, to be always in the right, I claim no other merit than that of meaning well; and when I am convinced, after proper examination, that I am engaged on the side of truth, I will trample on that insolence that shall command me to suppress my sentiments.

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When I reflect, my lords, on the distresses of my country, when I observe the security and arrogance of those whom I consider as the authors of the publick miseries, I cannot always contain my resentment; I may, perhaps, sometimes start out into unbecoming transports, and speak in terms not very ceremonious of such abandoned, such detestable———But as this is, perhaps, not the language of the house, I shall endeavour to repress it, and hope that the bounds of decency have never been so far transgressed by me that I should be exposed to the censure of your lordships.

Lord ABINGDON next rose, and said:—My lords, the present motion is undoubtedly just, but by no means necessary, or particularly adapted to the present time. It contains a general principle, uncontested, and established; a principle which this assembly has never denied, and from which I know not that it has ever departed.

As there is, therefore, no particular necessity of confirming it by a new resolution, and as the present time seems less proper than any other, I cannot but declare my opinion, that to resume it at some other time will be more prudent, than to give the lords, who think their conduct censured, any occasion of resentment or discontent.

Lord CARTERET spoke to the following effect:—My lords, the maxim laid down in the present motion, is in itself incontestable, and so far from any inconsistency with the former, that as there was no reason for making, there is, in my opinion, none for opposing it; as it may at any time be made, it may at any time be properly passed. And I hope that our unanimity on this occasion will show that truth, however unseasonably advanced, will, in this house, be always received.

But, lest the noble lords who have opposed the motion, should think their honour engaged in continuing the opposition, I take the liberty, my lords, to move that the previous question may be put.

[Other lords spoke on each side; at last the previous question was put by the president, who demanded, "Is it your lordships' pleasure, that the question be now put? Those lords who are for it, say, Content: those who are

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against it, say, Not content." There was, accordingly, a cry of both; after which the president declared, "the contents have it;" and some lords replying, "the non-contents have it," his lordship said, "the non-contents must go below the bar:" which is the manner of dividing the house. Those who remained being told in their seats, and those who went out being told at coming in again, there were Content, 81; Not content, 54: so that the resolution moved for, passed without a division.]

HOUSE OF COMMONS, FEB. 24, 1740-1.

Lord TYRCONNEL made a motion for bringing in a bill for the better cleansing and paving the streets of Westminster, and the liberties thereof; in support of which motion he spoke to the following purpose:—

Sir, though the grievance which I am about to lay before the house is not of the most formidable or dangerous kind, yet as it is such as grows every day greater, and such as every day endangers the lives of thousands, I hope it will not be thought useless or improper to propose it to the consideration of this assembly, to offer my thoughts on the methods by which it may be most easily removed, and to endeavour to incite others to the same considerations.

It is impossible, sir, to come to this assembly, or to return from it without observations on the present condition of the streets of Westminster; observations forced upon every man, however inattentive, or however engrossed by reflections of a different kind.

The warmest zeal for publick happiness, the most anxious vigilance against general dangers, must, I believe, sometimes give way to objects of immediate, though of less importance, nor will the most publick-spirited senators deny, that they have often been in the streets alarmed with obstructions, or shocked with nuisances.

The filth, sir, of some parts of the town, and the in-

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equality and ruggedness of others, cannot but in the eyes of foreigners disgrace our nation, and incline them to imagine us a people, not only without delicacy, but without government, a herd of barbarians, or a colony of hottentots.

The most disgusting part of the character given by travellers, of the most savage nations, is their neglect of cleanliness, of which, perhaps, no part of the world affords more proofs, than the streets of the British capital; a city famous for wealth, and commerce, and plenty, and for every other kind of civility and politeness, but which abounds with such heaps of filth, as a savage would look on with amazement.

If that be allowed which is generally believed, that putrefaction and stench are the causes of pestilential distempers, the removal of this grievance may be pressed from motives of far greater weight than those of delicacy and pleasure; and I might solicit the timely care of this assembly for the preservation of innumerable multitudes, and intreat those, who are watching against slight misfortunes, to unite their endeavours with mine, to avert the greatest and most dreadful of calamities.

Not to dwell, sir, upon dangers, which may, perhaps, be thought only imaginary, I hope that it will be at least considered, how much the present neglect of the pavement is detrimental to every carriage, whether of trade, or pleasure, or convenience, and that those who have allowed so much of their attention to petitions, relating to the roads of the kingdom, the repair of some of which is almost every session thought of importance sufficient to produce debates in this house, will not think the streets of the capital alone unworthy of their regard.

That the present neglect of cleansing and paving the streets is such as ought not to be borne, that the passenger is every where either surprised and endangered by unexpected chasms, or offended or obstructed by mountains of filth, is well known to every one that has passed a single day in this great city; and that this grievance is without remedy is a sufficient proof that no magistrate has, at pre-

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sent power to remove it; for every man's private regard to his own ease and safety, would incite him to exert his authority on this occasion.

I humbly propose, therefore, that a bill may be brought into the house, to enable his majesty's justices of peace for the liberties of Westminster, to inspect the publick ways of this city, and punish the neglect of cleansing and paving them; or that a new officer be appointed, and vested with full authority for the same purpose.

Mr. SANDYS spoke next, to this effect:—Sir, I believe the grievance, so much complained of by the right honourable member, is not difficult to be removed without a new act of the legislature, being, perhaps, more properly to be imputed to the negligence of the justices, than a defect of their authority; for they have already sufficient power to regulate this disorder: and I may be allowed to hope, sir, that they do not want leisure to observe it, for their number is so great, that if we suppose them to be wholly engaged by the common business of their office, a foreigner would have occasion of reproaching us with defects more important than want of delicacy, and might justly censure us as a people corrupt beyond the common rate of human wickedness, a nation divided only into two classes, magistrates and criminals.

But they, in reality, abound so much among us, that most of them are only nominal magistrates, vested with authority which they never exert, or exert to bad purposes, and which it were well if they were obliged to employ in the real service of their country, by superintending the paviers and the scavengers.

For this reason it is unnecessary to erect a new officer, as an inspector of our streets, since every office that is not necessary is pernicious. Were the consequences of this grievance such as they have been represented, I should, perhaps, willingly erect a new office, though I should not be surprised to hear the wisest man declare rather for a pestilence than an increase of officers.

As I neither think the grievance insupportable, nor the

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methods proposed for removing it necessary or proper, I declare myself against the motion.

Lord GAGE spoke in the following manner:—Sir, as the grievance cannot be denied to be real, and the motion, therefore, may reasonably be imagined to have been made without any other intention than of benefiting the publick by an useful law, I cannot discover any sufficient reason for a rejection so peremptory and contemptuous.

That every man is disgusted, and almost every man daily endangered in our streets, has not been denied; nor will any man, I suppose, question what, if he has not yet experienced it, he may, perhaps, be fully convinced of, in his next visit or excursion.

Those evils, which every man feels, though slight, are worthy of the attention of the legislature; and that danger that threatens multitudes, though distant, ought to be averted: for a small disorder, like a small expense, when it extends to multitudes, becomes a national affair.

But though this motion may, perhaps, be liable to some objections, there is, certainly, no such absurdity to be found in it, as may justify us in rejecting it without examination; to reject a motion when it is first offered, is a proof of prejudice, next to that of rejecting it unheard; it is to determine a question, before it is discussed, or can be fully understood.

Mr. SANDYS replied, in substance as follows:—Sir, I cannot but differ very widely in opinion from the right honourable member that spoke last, with regard to the propriety of opposing a motion when it is first made; a practice, which I can by no means think inconsistent with either decency or prudence, and which would, perhaps, be of use to the publick, if it was more frequent.

When any motion is made, it is subjected to the consideration of this assembly, and every member is at full liberty to examine and discuss it. If it appears to deserve farther attention, it may be admitted, but if the subject be either improper or unseasonable, or the measures proposed injudicious or dangerous, it is then to be rejected;

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and if it is at last to be rejected, it is apparent that no time ought to be thrown away upon it.

The hours, and days, and weeks, that have been unprofitably spent upon bills which after all our endeavours could not be passed; the delays of real benefits to the publick, which have been produced by long pursuits of shadowy advantages, have inclined me to a more expeditious method of proceeding, and determined me speedily to reject what I cannot hope to amend.

[The question being put, passed in the negative, 142 against 109.]

HOUSE OF COMMONS, FEB. 27, 1740-1.

DEBATE ON THE SECOND READING OF A BILL TO PREVENT INCONVENIENCIES ARISING FROM INSURANCE OF SHIPS.

The bill being read, sir JOHN BARNARD spoke thus: —Sir, there cannot be brought before this house any questions more difficult in themselves, more entangled with a multiplicity of relations, or more perplexed with an endless diversity of circumstances, than those which relate to commercial affairs; affairs on which the most experienced often disagree, and on which the most sagacious may deceive themselves with erroneous conjectures.

There are no questions, sir, which require so much personal knowledge of the subject to which they relate, nor is there any subject with which so few gentlemen in this house have had opportunities of being acquainted. There are no questions, sir, which their variety of relations to different persons exposes to be so easily misrepresented without detection, nor any in which the opposition of particular interests so much incites a false representation. In all these cases, deceit is easy, and there is a strong temptation to deceive.

Nor are these questions, sir, always perplexed by intentional fraud, or false assertions, of which they that utter them are themselves conscious.

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Those who deceive us, do not always suppress any truth of which they are convinced, nor set facts before us in any other light, than that in which themselves behold them; they for the most part err with an honest intention, and propagate no mistakes but those which they have themselves admitted.

Of this kind, sir, are, doubtless, the measures proposed in the bill before us, which those by whom they are promoted may easily think to be of benefit to the publick, but which, I believe, will appear the result of imperfect views, and partial consideration.

The great and fundamental errour, sir, of the patrons of this bill, seems to be an opinion that the practice of insuring is not known to other nations, nor can be carried on in any other place; and from this principle they deduce consequences, which, if they were inevitably certain, might easily influence us to an immediate approbation of the bill, as necessary to secure our commerce, and distress our enemies.

They conclude, sir, with sufficient justness, that very few merchants would hazard their fortunes in long voyages or distant commerce, or expose themselves to the dangers of war, without the security which insurances afford them; and having persuaded themselves that such security is to be obtained from no other nation, they imagine that we might, by prohibiting it, confine all the foreign vessels in their ports, and destroy, by one resolution, the trade of both our rivals and our enemies.

That our East India company may desire the ratification of this bill, I cannot deny, because they might, perhaps, receive from it some temporary advantage by the short inconveniencies which those whom they consider as the enemies of their commerce would feel from it. They may desire it, because the experiment, if it fails, as it must, cannot injure them; and if it succeeds, may produce great advantages to them: they may wish it, because they will feel the immediate benefit, and the detriment will fall upon others.

I shall not inquire whether our merchants are inclined

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to look with malevolence on all those who cultivate the same branches of commerce with themselves, though they have neither the violation of natural rights, nor the infringement of national treaties, to complain of. I should be unwilling to suspect a British merchant, whose acquaintance with the constitution of his own country ought to show him the value of liberty, who ought to be above narrow schemes, by the knowledge which his profession enables him to gain, of a desire to encroach upon the rights of others, or to engross the general benefits of nature; and shall only observe, that several other nations can plead a claim to the East India trade, a claim of equal validity with our own; that the Danes have their settlement there, and that the Portuguese discovered the way to those regions of wealth, from which some, perhaps, are inclined to exclude them.

But nothing is more vain than to attempt to exclude them by refusing to ensure their ships, because the opinion that they can be insured by no other nation is entirely without foundation. There are at this time offices of insurance along the whole coasts of the midland sea, among the Dutch, and even among the French. Nothing can debar any nation from the trade of insurance but the want of money; and that money is not wanted by foreigners for this purpose, appears from the great sums which they have deposited in our funds.

That this trade is now carried on chiefly by this nation, though not solely, is incontestable; but what can be inferred from that, but that we ought not to obstruct our own gain; that we ought not to make a law to deprive ourselves of that advantage of which either favourable accidents or our own sagacity have put us in possession.

For this reason it appears that it would not contribute to the wealth of the publick to debar us from insuring the ships even of those with whom we are at war, for it is always to be remembered that they will receive no detriment from such prohibitions, nor will feel any other consequence from them than a necessity of transferring to some other nation the profit which we receive from it.

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What the profit is which arises to the nation from the trade of insurance it is not possible exactly to determine, but that the trade is really advantageous may be reasonably conceived, because after many years' experience it is diligently followed, and a law was never necessary to prohibit the pursuit of a business by which nothing was to be gained. But could the gain of the insurer be a doubtful point, there is a certain advantage to the nation by the money paid for commission, brokerage, stamps, and the credit of the premium deposited here.

I might add, sir, another considerable sum yearly arising to the government from the additional letters, occasioned by this trade, which increase the revenues of the post-office, without any deduction for additional charge.

That the loss of this profit, and the gain of insuring, will ensue upon the ratification of this bill, cannot be denied; nor does it appear, that this loss will be counterbalanced by any advantage that will be gained over our rivals or our enemies.

Whether this bill, sir, would produce to the merchants of that city by which it is promoted, the advantages which they expect from it, or remove any of the grievances of which they complain, I am not able positively to determine; but know, that it is not uncommon for merchants, as well as other men, to confound private with publick grievances, and to imagine their own interest the interest of the nation.

With regard, sir, to the practice of insuring, *interest or no interest*, as the term is, when an imaginary value is put upon the ship or cargo, often much above its real worth, it cannot be denied, that some opportunities may be given by it for wicked practices. But there will always be circumstances in which there can be no security against frauds, but common faith; nor do I see how we can secure the insurers against the possibility of being defrauded.

I cannot, indeed, discover, sir, how this method of insuring can be prevented; for how can the value of a cargo be estimated, which is to be collected in a long voyage, at different ports, and where the success of the adventurers often depends upon lucky accidents, which are, indeed,

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always hoped for, but seldom happen. An imaginary value must, therefore, be fixed upon, when the ship leaves the port; because the success of that voyage cannot be foreknown, and the contracting parties may be safely trusted to set that value, without any law to direct or restrain them.

If the merchants are oppressed by any peculiar inconveniencies, and can find means of redressing them without injuring the publick commerce, any proposal for that purpose ought to be favourably received; but as the bill now before us proposes general restraints, and proposes to remove grievances which are not felt, by remedies, which those upon whom they are to operate, do not approve, I think it ought not to be referred to a committee, but rejected.

Mr. SOUTHWELL spoke next, in terms to this purpose: —Sir, when I first proposed this bill to the house, I lamented the absence of that honourable gentleman, from whose discussions and arguments I expected great information; and for whose judgment, in all commercial questions, I have the highest esteem, as his penetration not only enables him to discover the consequences of methods which have not yet been tried, but as his extensive acquaintance with many branches of trade, cannot but have informed him of the success of many expedients tried, as well in other nations as our own, for the advancement of it.

Trade, sir, is a subject, of which it has been justly observed, that very few gentlemen have attained knowledge sufficient to qualify themselves to judge of the propriety of any new regulation; and I cannot but confess, that I have no uncommon skill in these questions. What I have to offer on this occasion, has been suggested to me, not so much by my own observations, as by the intelligence which I have very industriously sought, and by which, as I endeavoured to inquire of those whose opinion was least likely to be perverted by their interest, I hope I have not been misled.

The merchants, sir, to whom it has been my fortune to apply, have generally concurred in the opinion that the

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present practice of insuring is prejudicial to our commerce, nor have I found any disagreement between my constituents and the traders of this great metropolis.

I am unwilling to imagine that there can be any evil for which the wisdom of this assembly cannot discover a remedy, and am, therefore, of opinion, that if the grievance is real, some expedient may be discovered for removing it; and that it is real, I cannot but be convinced by the declarations of so many men, who can have no interest in complaining when they suffer nothing, and whose known abilities exempt them from the suspicion of imputing any part of their uneasiness to a cause which cannot produce it.

The bill before us, sir, requires, in my opinion, some amendments, and in its present state might, perhaps, produce more detriment than advantage; but since it is necessary at least to attempt something for the relief of men so useful to this nation, it appears to me necessary to form a committee, and to deliberate on this subject with more attention.

Mr. LOCKWOOD spoke next, to the following effect:— Sir, though I am not of opinion that the bill in its present state ought to be passed into a law, yet I am far from thinking it so imperfect as not easily to be amended, and, therefore, am desirous that it should be considered in a committee.

I have not, indeed, sir, often observed, that bills injudiciously drawn up at first have received great improvements from a second consideration, and have found it more easy to form a new bill, than to make alterations in one that is laid before us; for some original errour will commonly remain, and the sentiments of different men, pursuing different views, can seldom be modelled into one consistent scheme. But I am far from considering this bill as one of those that cannot be amended, for I can discover but few objections to the regulations proposed in it, and those not relating to any of the essential parts, but slight and circumstantial, such as will easily be removed, or, perhaps, answered.

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The grievance, sir, for which this bill proposes a remedy, is so generally known, and so universally lamented, that, I believe, there is not any thing more worthy of the attention of the legislature than an inquiry into the cause of it, and the proper method of redressing it.

In our inquiry into the causes of this obstruction of trade, I am of opinion, sir, that the practice of insuring, *interest or no interest*, will appear to be the foundation of this general uneasiness; it will be found a practice of so natural a tendency to fraud, and so easily susceptible of dishonest artifices, that I believe every member of this house will desire its suppression.

To confirm my assertion, sir, and illustrate the question before us, I shall mention some particular instances of fraud to which this custom has given occasion; of fraud so evident and so detestable that it cannot be related without indignation.

The Royal George was a large ship belonging to the South sea company, which, having been a voyage to Vera Cruz, put in at Jamaica in her return; and being there refitted to proceed on her voyage homewards, set sail, and came within a week's sailing of the port, when, upon a sudden, the officers entered into a consultation, and determined to go back a month's voyage to Antigua; for what reason, sir, may easily be guessed, when it was told that a ship was insured upon a supposed value of sixty thousand pounds.

This resolution, sir, was no sooner formed, than orders were given to change the course and steer to Antigua, in opposition to all the remonstrances of the carpenter, who is the proper judge of the condition of a vessel, and who declared, with honesty and resolution, against their whole procedure. But they pursued their new scheme without any regard to his murmurs or assertions; and when they arrived at Antigua, found some method of influencing the officers of that island to declare the ship unfit for the prosecution of the voyage.

Their design, sir, was now happily completed. To confirm the determination which had been pronounced in their

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favour, they stranded the ship upon a bank of sand, forced out the iron that grapples the timber together, and having first taken away the masts and rigging, and whatever else could be used or sold, threw the ballast to each end, and so broke the vessel in the middle.

By this well-contrived shipwreck, having, as they imagined, raised their fortunes, they came home triumphantly from their prosperous voyage, and claimed the money for which the ship was insured. The insurers, startled at a demand so unexpected, inquired into the affair with all the industry which its importance might naturally incite, and, after some consultation, determined to try whether the ship might not be refitted and brought to Britain.

In pursuance of this resolution, they sent workmen and materials, and, without much expense, or any difficulty, brought it hither.

I believe, sir, this relation is sufficient at once to prove the practice, and explain the nature of the frauds to which this method of insurance gives occasion; but as the frequency of them is such, that many instances may be produced, I shall offer another short narrative of the same kind.

A ship that belonged to the East India company, insured after this method, was run ashore by the captain, in such a manner that he imagined none but himself able to recover it, and therefore, though it cost five thousand pounds, sold it for five hundred; but the purchaser, no less expert than the captain, found means very speedily to disengage it, to restore it to a proper condition with little expense, and was much enriched by his fortunate bargain.

I cannot but observe, sir, that this kind of fraud is more formidable, as it may be practised without a possibility of detection: had the captain, instead of stranding, destroyed his vessel, how could his wickedness ever have been discovered; or how could the South sea company's ship have been brought home, had it been sunk in some distant corner of the world.

This practice, sir, and the frauds which it has occasioned, and the suspicions which the easy practice of frauds al-

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ways creates, have produced so many trials, and filled the courts of justice with such intricate contentions, that the judges, who know, perhaps, nothing of this practice but from its effects, have often declared it to be so pregnant with contests and cheats, that it ought not to be suffered, and that a law for suppressing it would much contribute to the establishment of peace, and the security of property.

I am not insensible, sir, of the force of the argument made use of by the honourable gentleman who spoke in favour of this practice, and cannot but allow it that regard which his reasonings always deserve; it is the strongest, and perhaps the only argument that can be produced. His assertion of the impossibility of estimating the real value of a ship, or of foreknowing the success of a voyage, is incontestable: but perhaps it will follow from thence, not that an imaginary value ought to be admitted, but that no insurance ought to be allowed, where there is no rational method of ascertaining it; or, at least, that all such insurance ought to be rather below the probable value than above it.

If the grievance complained of has been proved not to be imaginary, we ought, doubtless, to consult how it may be remedied; nor do I believe that our consultations will be ineffectual, if we engage in them, not with an intention to perplex, but to inform each other. I am of opinion, sir, that the importance of the question requires a committee; nor can I discover any essential defect in the bill, which should hinder it from passing into a law.

Mr. BURRELL spoke to this effect:—Sir, I am convinced by experience, as well as reason, that so many inconveniencies arise from this method of insurance, that it affords so many opportunities of fraud, and gives such encouragement to negligence, that I shall willingly concur in any measures that may effectually suppress it.

It is, sir, too well known to require proof, that interest is the parent of diligence, and that men attend to the performance of their duty, in proportion as they must suffer by the neglect of it; and, therefore, every practice that deprives honesty of its reward is injurious to the publick.

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But that this is the consequence of estimating ships at an imaginary value in the offices of insurance, is, to the highest degree, evident. When a ship is estimated above its real value, how will the commander suffer by a wreck, or what shall restrain him from destroying his vessel, when it may be done with security to himself, except that integrity, which, indeed, ought to be generally diffused, but which is not always to be found, and to which few men think it safe to trust upon occasions of far less importance.

To show, sir, that I do not indulge groundless suspicions, or magnify the bare possibility of fraud into reality; that I do not blacken human nature, or propose laws against wickedness that has not yet existed; it may be proper to mention some letters, in which I have been informed, by my correspondent at Leghorn, of the state of the ships which have arrived there; ships so weakly manned, and so penuriously or negligently stored, so much decayed in the bottoms, and so ill fitted with rigging, that he declares his astonishment at their arrival.

It may deserve our consideration, sir, whether the success of the Spanish privateers may not be, in great part, attributed to this pernicious practice; whether captains, when their vessels are insured for more than their value, do not rashly venture into known danger? whether they do not wilfully miss the security of convoys? whether they do not direct their courses where privateers may most securely cruise? whether they do not surrender with less resistance than interest would excite? and whether they do not raise clamours against the government for their ill success, to avoid the suspicion of negligence or fraud?

That other frauds are committed in the practice of insuring, is well known to the honourable gentleman: it is a common practice to take money upon bottomry, by way of pledge, for the captain's fidelity, and to destroy this security by insuring above the real value; so that the captain may gain by neglecting the care of his vessel, or, at least, secure himself from loss, and indulge his ease or his pleasure without any interruption from the fear of diminishing his fortune.

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The whole practice of insurance, sir, is, in its present state, I believe, so perplexed with frauds, and of such manifest tendency to the obstruction of commerce, that it absolutely requires some legal regulations.

Sir JOHN BARNARD then spoke to this purpose:—Of frauds in the practice of insurance, with regard to which the honourable gentleman has appealed to me, I can confidently affirm that I am totally ignorant: I know not of any fraudulent practices openly carried on, or established by custom, which I suppose are meant: for with regard to single acts of fraud, committed by particular men, it is not to be supposed but that they have been detected in this, as in all other branches of traffick: nor can I conceive that any argument can be drawn from them against the practice; for if every part of commerce is to be prohibited, which has furnished villains with opportunities of deceit, we shall contract trade into a narrow compass.

With regard, sir, to the instance of the Royal George, though the proceedings of the officers are not wholly to be vindicated, yet part of their conduct is less inexplicable than it has been represented. Their return to Antigua, when they were bound for Britain, and were within a week's sailing of their port, is easily to be defended, if the wind was contrary to their intended course; for it is not difficult to conceive that they might reach a distant port, with a favourable wind, much sooner than one much nearer, with the wind against them.

I have always observed, sir, that the gentlemen engaged in the trade to the East Indies, assume an air of superiority, to which I know not what claim they can produce, and seem to imagine, that their charter gives them more extensive knowledge, and more acute sagacity, than falls to the lot of men not combined in their association.

But however these gentlemen may disapprove my arguments, and however they may misrepresent them, I shall be satisfied, that they will have, with the disinterested and impartial, their just weight, and that this affair will not be hastily determined upon an imperfect examination.

Sir ROBERT WALPOLE replied to this effect:—Whe-

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ther the merchants are satisfied with the present methods of insuring, or what is the opinion of any separate body of men, I think it absolutely unnecessary to inquire. We are constituted for the publick advantage, and are engaged by our senatorial character to consider, not the private interest of particular men, but the general advantage of our country.

In our pursuit, sir, of national interest, we shall be obliged frequently to oppose the schemes which private men or separate fraternities, have formed for their own advantage, and which they may be expected to defend with all their art; both because every man is unwilling to imagine that the publick interest and his own are opposite, and because it is to be feared, that many may consider the publick only in subordination to themselves, and be very little solicitous about the general prosperity of their country, provided none of the calamities which afflict it extend their influence to themselves.

We are in the discussion of this question, sir, to consider that we are engaged in a war against a nation from which insults, depredations, oppressions, and cruelties, have been long complained of, and against which we are, therefore, to act with a resolution proportioned to the injuries which we have suffered, and to our desire of vengeance. We are to practice every method of distressing them, and to promote the success of our arms even at the expense of present gain, and the interest of private men.

It is well known, sir, to all who have either heard or read of the Spaniards, that they live in carelessness and indolence, neglect all the natural advantages of their own country, despise the gain of foreign commerce, and depend wholly on their American settlements, for all the conveniencies, and, perhaps, for most of the necessaries of life.

This is the particular circumstance that makes a war with Britain so much to be dreaded by them. A nation superiour to them by sea holds them besieged, like a garrison surrounded by an army, precludes them from supplies, intercepts their succours, and if it cannot force

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their walls by attack, can, at least, by a blockade, starve them to a capitulation.

Thus, sir, by a naval war with an enemy of superiour strength, they must at length be subdued, and subdued, perhaps, without a battle, and without the possibility of resistance; against such an enemy their courage or their discipline is of no use; they may form armies, indeed, but which can only stand upon the shore, to defend what their enemies have no intention of invading, and see those ships seized in which their pay is treasured, or their provisions are stored.

Such, sir, is our natural superiority over the Spaniards, a species of superiority that must inevitably prevail, if it be not defeated by our own folly; and surely a more effectual method of defeating it, the Spaniards themselves could not have discovered, than that of insuring their ships among our merchants.

When a ship thus insured is taken, which, notwithstanding all precautions, must sometimes happen, we examine the cargo, find it extremely valuable, and triumph in our success; we not only count the gain to ourselves, but the loss to our enemies, and determine that a small number of such captures will reduce them to offer us peace upon our own terms.

Such are the conclusions which are made, and made with reason, by men unacquainted with the secret practices of our merchants, and who do not suspect us to be stupid enough to secure our enemies against ourselves; but it is often found, upon a more close examination, that our ships of war have only plundered our merchants, and that our privateers may, indeed, have enriched themselves, but impoverished their country. It is discovered that the loss of the Spaniards is to be repaid, and, perhaps, sometimes with interest, by the British insurers.

If it be urged, that we ought not to enact any laws which may obstruct the gain of our fellow-subjects, may it not be asked, why all trade with Spain is prohibited; may not the trade be equally gainful with the insurance, and may not the gain be more generally distributed, and, therefore, be more properly national?

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But this trade was prohibited, because it was more necessary to our enemies than to ourselves; it was prohibited, because the laws of war require, that a less evil should be suffered to inflict a greater; it is upon this principle that every battle is fought, and that we fire our own ships to consume the navies of the enemy.

For this reason, sir, it appears to me evident beyond contradiction, that the insurance of Spanish ships ought to be prohibited: we shall, indeed, lose the profit of the insurance, but we shall be reimbursed by the captures, which is an argument that cannot be produced for the prohibition of commerce.

It is urged, sir, that they may insure their ships in other countries; an assertion, of which, whether it be true or not, I am not able to decide; but it is acknowledged, that the necessity of establishing new correspondence will be at least a temporary obstruction of their trade, and an obstruction of even a short continuance may lay them at our mercy.

But let us, sir, reflect upon the weakness of this argument,—*they must be allowed to insure here, because they may insure in other places;* will it not be equally just to urge, that *they must trade with us, because they may trade with other nations?* And may it not be answered, that though we cannot wholly suspend their commerce, it is yet our business to obstruct it as far as we are able?

May it not, sir, be farther affirmed, that by insuring in other nations, they may injure their allies by falling into our hands, but do not the less benefit us? that if they do not grow weaker, we at least are strengthened; but that by insuring among us, whatever steps are taken, the equilibrium of the war is preserved always the same?

It is asserted, and I suppose with truth, that we insure at a lower rate than others, and it will, therefore, follow, that the Spaniards, whenever their ships shall escape us, will suffer more by having insured amongst foreigners, than if they had contracted with our merchants.

Thus it appears, sir, that there are stronger reasons for prohibiting the insurance of Spanish ships, than for putting a stop to our commerce with them; and that whether

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their ships are taken by us, or escape us, it is the general interest of the nation, that they shall be insured by foreign merchants.

With respect, sir, to the East India company, I have no regard to their interest, considered as distinct from that of the rest of the nation; nor have received any solicitations from them to promote this bill, or to espouse their interest; but cannot, without concealing my real sentiments, deny, that as they have the grant of an exclusive trade to the East Indies, to insure the ships that are sent thither without their permission, is to invade their rights, and to infringe their charter; and that the practice, if the validity of their charter be admitted, is illegal, and ought to be discountenanced.

The practice, sir, of insuring, *interest or no interest*, or of assigning to ships an imaginary value, is nothing more than a particular game, a mere solemn species of *hazard*, and ought, therefore, to be prohibited, for every reason that can be urged against games of chance.

With regard to this bill in general, it is, in my opinion, highly necessary, nor can I discover any important objection that can be made against it. Some law of this kind, and to this purpose, I have long intended to offer to the consideration of this assembly, and since it is now before us, I think we ought to consider it with the attention which may be justly expected from us.

Lord BALTIMORE spoke thus:—Sir, I know not how properly the practice of insuring may be termed a species of hazard, nor do I think any thing more is to be considered, than whether the game be gainful to the nation, or not, for I cannot discover that there is any absurdity in enriching ourselves at the expense of other nations, whether enemies or allies. That we ought to prefer the general good to the advantage of individuals, is undoubted, but I cannot conceive that in this case there can be any opposition between private and publick interest. If our insurers gain by securing the ships of our enemies, the nation is benefited, for all national gain must circulate through the hands of individuals.

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No man will assert that we ought to assist our enemies, nor will any man imagine that we assist them by impoverishing them, and if our insurers gain by their practice, the Spaniards must undoubtedly be losers.

Mr. WILLIMOT spoke next, to the following purpose: —Sir, I have conversed on the question to which this bill relates, with men engaged in various kinds of traffick, and who have no common interest but that of their country. I have dispersed among the merchants, most eminent for their acquaintance with the whole extent of commerce, and for their knowledge of the true interest of the nation, copies of this bill, and cannot find any of them so sensible of the grievance of which we have so loud complaints, as to desire that it should be redressed by the measures now proposed.

That frauds are practised on every side, in this, as well as in other trades, the general corruption of our age gives us sufficient reason to suspect; but what is common to every sort of traffick, cannot be produced as an argument for the prohibition of any.

That the practice of insuring an imaginary value may give opportunity for greater frauds than can be practised in common dealings, is likewise evident, but I cannot discover such frauds to require the interposition of the legislature.

If they are practised only by those of our own nation, the publick does not suffer; for property is only transferred from one subject to another: the fraud ought, indeed, to be severely punished in the courts of criminal justice, but the custom which gave the opportunity of practising it, ought not to be restrained, any more than any other profession not criminal in itself, but liable to accidental abuses.

If our insurers are defrauded by foreigners, the nation is then, indeed, more nearly affected, but even in that case, it is to be remembered, that the private interest of the insurers, who must be immediately ruined, is a sufficient security for the publick. For it cannot, sir, be conceived that any man will obstinately carry on a business, by which he becomes every day poorer, or, that when he

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desists he will be succeeded by another, who cannot but know that he engages in that traffick to his certain ruin.

The true state of this affair is, that frauds are, indeed, often committed, and are for that reason always suspected, and that the insurers, when they insure the ship and cargo against accidents, reckon, among other chances, the probability of being cheated, and proportion their demands, not only to the length and danger of the voyage, but to the character, likewise, of the man with whom they contract.

This, sir, is always the practice of those whom experience has made acquainted with the danger of implicit confidence and unsuspecting credulity, nor do any but the young and unskilful suffer themselves to be so exposed to frauds, as that their fortunes should be injured, or the general gain of their business overbalanced, by a few deceits.

Thus it appears, that notwithstanding the ease and safety with which the present methods of insurance admit fraud to be practised, the insurers, by a proportionate degree of caution, secure themselves from being injured, and, by consequence, the nation.

The insurance of foreign ships is now to be considered, by which great profit arises to the nation. We insure, sir, as it has been observed, at lower rates than other nations, because we have more business of this kind, and the smallness of our profit is compensated by the frequency; the cheapness of insurances, and eagerness of foreigners to insure here, reciprocally contribute to each other; we are often applied to, because we insure at an easy rate, and we can insure at an easy rate, because we are often applied to.

Nor is the cheapness of British insurance the only motive to the preference which it preserves among foreigners, who are induced to apply to this nation, by the reputation which our merchants have deservedly gained for probity and punctuality superiour to that of any other traders. Our merchants, sir, bargain without artifice, pay without subterfuges, and are ready on all occasions to preserve their character at the hazard of their profit.

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From these two considerations we may draw unanswerable arguments against any restraints upon the practice of insuring: if foreigners are once disappointed in their applications to us, our business will in a great part cease, and as we shall not then be able to insure at lower rates than other nations, we shall never recover that branch of our trade. And as the character of the British merchants exempts them from any suspicion of practices pernicious to the publick, why should they be restrained? Why, sir, should they appear to be suspected by the legislature of their own country, whom foreigners trust without hesitation.

It has been objected to them with great warmth, and urged with much rhetorical exaggeration, that they assist the enemies of their country, that they prolong the war, and defeat those advantages which our situation and commerce have given us; imputations sufficiently atrocious, if they were founded upon truth.

But let us, sir, examine the arguments by which this accusation has been supported, and inquire whether this triumph of eloquence has been occasioned by any real superiority of evidence or reason; it is urged, that we have already prohibited commerce with the Spaniards, and that, therefore, we ought, likewise, to prohibit the insurance of their ships.

It will not require, sir, an imagination very fertile, or a knowledge very extensive, to supply arguments sufficient to refute the supposed demonstration; in opposition to which it may be urged, that this kind of commerce is of a peculiar nature, that it subsists upon opinion, and is preserved by the reputation of our insurers; a reputation that the insurers of other nations may obtain by the same means, and from whom we shall, therefore, never recover it.

It may be observed, sir, that other commodities are the peculiar product of different countries, and that there is no danger of losing our other trade by suspending it, because it depends upon the excellence of our manufactures; but that insurance may be the commodity of any country, where money and common honesty are to be found.

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This argument may, perhaps, be yet more effectually invalidated, or, perhaps, entirely subverted, by denying the expedience of that prohibition which is produced as a precedent for another restraint. Nor, indeed, does it appear why we should preclude ourselves from a gainful trade, because the money is drawn by it out of the hands of our enemies; or why the product of our lands should lie unconsumed, or our manufactures stand unemployed, rather than we should sell to our enemies what they will purchase at another place, or by the intervention of a neutral power.

To sell to an enemy that which may enable him to injure us, that which he must necessarily obtain, and which he could buy from no other, would, indeed, be to the last degree, absurd; but that may surely be sold them without any breach of morality or policy, which they can want with less inconvenience than we can keep. If we were besieging a town, I should not advise our soldiers to sell to the inhabitants ammunition or provisions, but cannot discover the folly of admitting them to purchase ornaments for their houses, or brocades for their ladies.

But, without examining with the utmost accuracy, whether the late prohibition was rational or not, I have, I hope, suggested objections sufficient to make the question doubtful, and to incline us to try the success of one experiment, before we venture upon another more hazardous.

I am never willing, sir, to load trade with restraints; trade is, in its own nature, so fugitive and variable, that no constant course can be prescribed to it; and those regulations which were proper when they were made, may, in a few months, become difficulties and obstructions. We well know, that many of the measures which our ancestors pursued for the encouragement of commerce, have been found of pernicious consequence; and even in this age, which, perhaps, experience, more than wisdom, has enlightened, I have known few attempts of that kind which have not defeated the end for which they were made.

It is more prudent to leave the merchants at liberty to pursue those measures which experience shall dictate

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upon every occasion, and suffer them to snatch the present opportunity of honest gain, whenever it shall happen; they will never injure their own interest by the use of this liberty, and by preserving themselves, they will preserve the nation from detriment; nor will they need to be restrained by a law proposed without their solicitation, and of which they cannot discover any beneficial consequences.

Mr. HORACE WALPOLE spoke next, to this purpose:—Sir, for the bill now before us I have no particular fondness, nor desire that it should be promoted by any other means than rational arguments, and the representation of indubitable facts.

I have no regard, sir, in this inquiry, to any private interest, or any other desire than that of securing the interest of my country, which, in my opinion, evidently requires that we should give no assistance to our enemies, that our merchants should cooperate with our navies, and that we should endeavour to withhold every thing that may make the war less burdensome to them, and, consequently, of longer continuance.

It was observed, sir, in the beginning of the debate, by a gentleman eminently skilled in mercantile affairs, that insurance was practised by many nations; but he did not inform us of what one of the clauses makes it proper to inquire, whether they allowed the method of insuring *interest or no interest*, and rating ships at an imaginary value. This is, I know, prohibited by the Dutch, a nation whose authority on commercial questions will not be disputed, nor do they allow their East Indian ships to be insured at all.

The difficulty of estimating the value of any cargo has been urged in defence of this practice, nor is the defence wholly without weight, because the cargo in many voyages cannot be ascertained. I shall, however, take this opportunity of observing, though I may somewhat digress from the present argument, how necessary it is that some of our exported cargoes should be exactly specified.

I have been lately informed, sir, that six ships laden with British wool, have entered at one time into a port of

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France; nor do I know how this practice, which is justly complained of as pernicious to our trade, and threatening the ruin of our country, can be prevented but by a constant and regular particularization of every cargo carried to France.

I admit, sir, that some cargoes which are imported cannot be particularly registered; such is the gold with which we are daily supplied by our commerce with the Portuguese, in opposition to their laws, and which our merchants are, therefore, under the necessity of concealing.

It is not, indeed, easy to foresee all the inconveniencies that may arise from new regulations of commerce; but the difficulty is not so great as has been represented, nor can I conceive why all our consultations on trade should be without effect. Gentlemen may obtain some knowledge of commerce from their own observation, which they may enlarge by an unconfined and indifferent conversation with traders of various classes, and by inquiries into the different branches of commerce; inquiries, sir, which are generally neglected by those whose employments confine their attention to particular parts of commerce, or whose application to business hinders them from attending to any opinions but those which their own personal experience enables them to form.

From these informations impartially collected, and diligently compared, a man not engaged in the profession of a merchant may form general principles, and draw consequences, more certain, and more extensive in their relations, than those which are struck out only from the observation of one subdivided species of commerce.

A member of this house, sir, thus enlightened by inquiry, and whose judgment is not diverted from its natural rectitude by the impulse of any private consideration, may judge of any commercial debate with less danger of errour or partiality than the merchants, of whom, nevertheless, I have the highest esteem, and whose knowledge, or probity, I do not intend to depreciate, when I declare my fears that they may sometimes confound general maxims of trade with the opinions of particular branches,

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and sometimes mistake their own gain for the interest of the publick.

The interest of the merchants ought, indeed, always to be considered in this house; but then it ought to be regarded only in subordination to that of the whole community, a subordination which the gentleman who spoke last seems to have forgotten. He may, perhaps, not intend long to retain his senatorial character, and, therefore, delivered his opinion only as a merchant.

He has distinguished between the conduct of experienced and unskilful insurers, with how much justice I shall not determine. I am afraid that a vigorous inquiry would discover, that neither age nor youth has been able to resist strong temptations to some practices, which neither law nor justice can support, and that those, whose experience has made them cautious, have not been always equally honest.

But this is a subject upon which I am not inclined to dwell, and only mention as the reason which convinces me of the propriety of the bill before us.

Sir WILLIAM YONGE spoke to this effect:—Sir, there appears no probability that the different opinions which have been formed of this bill will be reconciled by this debate; nor, indeed, is there any reason for wondering at this contrariety of sentiments.

The several clauses of the bill have relations and consequences so different, that scarce any one man can approve them all; and in our present deliberation, an objection to a particular clause is considered as an argument against the whole bill.

It is, therefore, necessary, to prevent an unprofitable expense of time, to resolve the house into a committee, in which the bill may be considered by single clauses, and that part which cannot be defended may be rejected, and that only retained which deserves our approbation. In the committee, when we have considered the first clause, and heard the objections against it, we may mend it; or, if it cannot be amended, reject or postpone it, and so proceed through the whole bill with much greater expedition, and

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at the same time, with a more diligent view of every clause, than while we are obliged to take the whole at once into our consideration.

I shall, for my part, approve some clauses, and make objections to others; but think it proper to reserve my objections, and the reasons of my approbation, for the committee into which we ought to go on this occasion.

[The bill was referred to a committee, but not forty members staying in the house, it was dropped.]

HOUSE OF COMMONS, MARCH 2, 1740-1.

DEBATE ON THE BILL FOR THE ENCOURAGEMENT AND INCREASE OF SEAMEN.

The bill was ordered to be read the second time, and to be printed for the use of the members, that it might be thoroughly examined and understood.

On the forty-fourth day, the second reading of the bill was postponed to the fiftieth; but the grand motion being debated on that day, nothing else was heard.

On the fifty-first it was again put off; but

On the fifty-sixth day, being read a second time, it was, after some opposition, referred to a committee of the whole house, to sit five days after. In the meanwhile,

On the fifty-seventh, it was ordered that the proper officers do lay before this house an account of what persons were authorized, by virtue of the act in the 4th of queen Anne, for "the encouragement and increase of seamen, and for the better and speedier manning her fleet;" to conduct seamen or seafaring men taken upon privy searches made by applications to justices; and what number of seamen or seafaring men were returned; also, the charge attending the same.

On the sixty-first day, moved that the said account should be read; which being done, the house resolved itself into a grand committee on the present bill; and the first clause being read, proposing the blanks to be

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filled thus: that every volunteer seamen, after five years' service, be entitled to six pounds per year, during life.

Sir JOHN BARNARD rose, and spoke as follows:—Sir, as it is our duty to provide laws, by which all frauds and oppressions may be punished, when they are detected, we are no less obliged to obviate such practices as shall make punishments necessary; nor are we only to facilitate the detection, but take away, as far as it is possible, the opportunities of guilt. It is to no purpose that punishments are threatened, if they can be evaded, or that rewards are offered, if they may by any mean artifices be withheld.

For this reason, sir, I think it necessary to observe, that the intent of this clause, the most favourable and alluring clause in the bill, may lose its effect by a practice not uncommon, by which any man, however inclined to serve his country, may be defrauded of the right of a volunteer.

Many men have voluntarily applied to the officers of ships of war, and after having been rejected by them as unfit for the service, have been dragged on board within a few days, perhaps within a few hours afterwards, to undergo all the hardships, without the merit, of volunteers.

When any man, sir, has been rejected by the sea officers, he ought to have a certificate given him, which shall be an exemption from an impress, that if any other commander shall judge more favourably of his qualifications, he may always have the privilege of a volunteer, and be entitled to the reward which he deserved, by his readiness to enter the service.

If such provisions are not made, this hateful practice, a practice, sir, common and notorious, and very discouraging to such as would enter the service of the publick, may so far prevail, that no man shall be able to denominate himself a volunteer, or claim the reward proposed by the bill.

Admiral WAGER spoke next, to the following effect:—Sir, it is not common for men to receive injuries without applying for redress, when it may certainly be obtained. If any proceedings like those which are now complained of, had been mentioned at the board of admiralty, they

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had been immediately censured and redressed; but as no such accusations were offered, I think it may probably be concluded, that no such crimes have been committed.

For what purpose oppressions of this kind should be practised, it is not easy to conceive; for the officers are not at all rewarded for impressing sailors. As, therefore, it is not probable that any man acts wickedly or cruelly without temptation: as I have never heard any such injury complained of by those that suffered it, I cannot but imagine, that it is one of those reports which arise from mistake, or are forged by malice, to injure the officers, and obstruct the service.

Lord BALTIMORE rose next, and spoke to the following effect:—That the practice now complained of, sir, is very frequent, and, whatever may be the temptation to it, such as every day produces some instances of, I have reasons for asserting with great confidence. I have, within these few days, as I was accidentally upon the river, informed myself of two watermen ignominiously dragged by force into the service to which they had voluntarily offered themselves a few days before. The reasons of such oppression, it is the business of those gentlemen to inquire, whom his majesty intrusts with the care of his fleet; but to interrupt the course of wickedness, to hinder it from frustrating the rewards offered by the publick, is the province of the representatives of the people. And I hope, sir, some proviso will be made in this case.

Admiral NORRIS rose and said:—Sir, if any such practices had been frequent, to what can it be imputed, that those who employ their lives in maritime business should be strangers to them? Why have no complaints been made by those that have been injured? Or why should officers expose themselves to the hazard of censure without advantage? I cannot discover why these hardships should be inflicted, nor how they could have been concealed, and, therefore, think the officers of the navy may be cleared from the imputation, without farther inquiry.

Sir JOHN BARNARD spoke again, to the following purpose:—Sir, it is in vain that objections are made, if

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the facts upon which they are founded may be denied at pleasure: nothing is more easy than to deny, because proofs are not required of a negative. But as negatives require no proof, so they have no authority, nor can any consequence be deduced from them. I might, therefore, suffer the facts to remain in their present state, asserted on one side by those that have reasons to believe them, and doubted on the other without reasons; for surely he cannot be said to reason, who questions an assertion only because he does not know it to be true.

But as every question, by which the liberty of a Briton may be affected, is of importance sufficient to require that no evidence should be suppressed by which it may be cleared, I cannot but think it proper that a committee should be formed to examine the conduct of the officers in this particular; and in confidence of the veracity of those from whom I received my information, I here promise to produce such evidence as shall put an end to controversy and doubt.

If this is not granted, sir, the fact must stand recorded and allowed; for to doubt, and refuse evidence, is a degree of prejudice and obstinacy without example. Nor is this the only objection to the clause before us, which appears very imperfect, with regard to the qualifications specified as a title to the reward. The reward ought not to be confined to those who shall hereafter be invited by the promise of it to engage in the service, while those who entered into it without any such prospect, are condemned to dangers and fatigues without a recompense. Where merit is equal, the reward ought to be equal; and, surely, where there is greater merit, the reward proposed by the senate, as an encouragement to bravery, ought not to be less. To be excluded from the advantages which others have obtained, only by avoiding the service, cannot but depress the spirit of those whose zeal and courage incited them, at the beginning of the war, to enter into the fleet; and to deject those from whom we expect defence and honour, is neither prudent nor just.

Nor is it, in my opinion, proper to offer the same reward

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indiscriminately to all that shall accept it; rewards ought to be proportioned to desert, and no man can justly be paid for what he cannot perform; there ought, therefore, to be some distinction made between a seaman by profession, one that has learned his art at the expense of long experience, labour, and hazard, and a man who only enters the ship because he is useless on land, and who can only incommode the sailors till he has been instructed by them.

It appears, sir, to me, a considerable defect in our naval regulations, that wages are not proportioned to ability; and I think it may not be now unseasonably proposed, that sailors should be paid according to the skill which they have acquired; a provision by which an emulation would be raised among them, and that industry excited, which now languishes for want of encouragement, and those capacities awakened which now slumber in ignorance and sloth, from the despair of obtaining any advantage by superiority of knowledge.

Sir ROBERT WALPOLE then rose, and spoke as follows:—That this charge, sir, however positively urged, is generally unjust, the declarations of these honourable gentlemen are sufficient to evince, since it is not probable that the injured persons would not have found some friend to have represented these hardships to the admiralty, and no such representations could have been made without their knowledge.

Yet, sir, I am far from doubting that by accident, or, perhaps, by malice, some men have been treated in this manner; for it is not in the power of any administration to make all those honest or wise whom they are obliged to employ; and when great affairs are depending, minute circumstances cannot always be attended to. If the vigilance of those who are intrusted with the chief direction of great numbers of subordinate officers be such, that corrupt practices are not frequent, and their justice such, that they are never unpunished when legally detected, the most strict inquirer can expect no more. Power will sometimes be abused, and punishment sometimes be escaped.

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It is, sir, easy to be conceived that a report may become general, though the practice be very rare. The fact is multiplied as often as it is related, and every man who hears the same story twice, imagines that it is told of different persons, and exclaims against the tyranny of the officers of the navy.

But these, in my opinion, sir, are questions, if not remote from the present affair, yet by no means essential to it. The question now before us is, not what illegalities have been committed in the execution of impresses, but how impresses themselves may become less necessary? how the nation may be secured without injury to individuals? and how the fleet may be manned with less detriment to commerce?

Sir, the reward now proposed is intended to excite men to enter the service without compulsion; and if this expedient be not approved, another ought to be suggested: for I hope gentlemen are united in their endeavours to find out some method of security to the publick, and do not obstruct the proceedings of the committee, that when the fleets lie inactive and useless, they may have an opportunity to reproach the ministry.

Admiral NORRIS spoke next, in substance:—Sir, though it is not necessary to enter into an accurate examination of the gentleman's proposal, yet I cannot but observe, that by making it, he discovers himself unacquainted with the disposition of seamen, among whom nothing raises so much discontent as the suspicion of partiality. Should one man, in the same rank, receive larger wages than another, he who thought himself injured, as he who is paid less will always think, would be so far from exerting his abilities to attain an equality with his associate, that he would probably never be prevailed on to lay his hand upon the tackling, but would sit sullen, or work perversely, though the ship were labouring in a storm, or sinking in a battle.

Mr. GORE then spoke as follows:—Sir, the danger of introducing distinctions among men in the same rank, where every man that imagines his merit neglected, may

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have an opportunity of resenting the injury, is, doubtless, such as no prudent commander will venture to incur.

Every man, in this case, becomes the judge of his own merit; and as he will always discover some reason for the preference of another very different from superiority of desert, he will, by consequence, be either enraged or dispirited, will either resolve to desert his commander, or betray him to the enemies, or not oppose them.

I remember, sir, though imperfectly, a story which I heard in my travels, of an army in which some troops received a penny a day less than the rest; a parsimony which cost dear in the day of battle; for the disgusted troops laid down their arms before the enemy, and suffered their general to be cut in pieces.

General WADE then spoke to this effect:—Sir, I cannot but concur with the honourable gentleman in his opinion, that those who are already engaged in the service, who have borne the fatigues of a long voyage, and perhaps are, at this hour, exposing their lives in battle to defend the rights of their country, ought to have the same claim to the reward proposed, with those who shall hereafter offer themselves. Nor, in my opinion, ought those who have hitherto been pressed into our fleets to be discouraged from their duty by an exclusion from the same advantage. For if they were compelled to serve in the fleet, they were compelled when there was not this encouragement for volunteers, which, perhaps, they would have accepted if it had been then proposed. Every man, at least, will allege, that he would have accepted it, and complain he suffers only by the fault of the government; a government which he will not be very zealous to defend, while he is considered with less regard than others, from whom no greater services are expected.

A prospect of new rewards, sir, will add new alacrity to all the forces, and an equal distribution of favour will secure an unshaken and inviolable fidelity. Nothing but union can produce success, and nothing can secure union but impartiality and justice.

Mr. SANDYS rose, and spoke as follows:—Sir, the

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efficacy of rewards, and the necessity of an impartial distribution, are no unfruitful subjects for rhetorick; but it may, perhaps, be more useful at present to consider, with such a degree of attention as the question must be acknowledged to deserve, to whom these rewards are to be paid, and from what fund they are expected to arise.

With regard to those who are to claim the reward, sir, they seem very negligently specified; for they are distinguished only by the character of having served five years; a distinction unintelligible, without explanation.

It is, I suppose, sir, the intent of the bill, that no man shall miss the reward but by his own fault; and, therefore, it may be inquired, what is to be the fate of him who shall be disabled in his first adventure, whom in the first year, or month, of his service, an unlucky shot shall confine for the remaining part of his life to inactivity: as the bill is now formed, he must be miserable without a recompense; and his wounds, which make him unable to support himself, will, though received in defence of his country, entitle him to no support from the publick.

Nor is this the only difficulty that may arise from the specifying of so long a service; for how can any man that shall enter on board the fleet be informed that the war will continue for five years? May we not all justly hope, that alacrity, unanimity, and prudence, may, in a much shorter time, reduce our enemies to beg for peace? And shall our sailors lose the reward of their hazards and their labours, only because they have been successful? What will this be less than making their bravery a crime or folly, and punishing them for not protracting the war by cowardice or treachery?

But let us suppose, sir, those defects supplied by a more explicit and determinate specification; there will yet arise an objection far more formidable; an objection, which the present state of our revenues will not suffer to be answered. The consideration of the greatness of the annual payment which this proposal requires, ought to incite every man to employ all his sagacity in search of some other method, equally efficacious, and less expensive.

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We have already, sir, forty thousand seamen in our pay, to whom eight thousand more are speedily to be added: when each of these shall demand his stipend, a new burden of two hundred and eighty-eight thousand pounds must be laid upon the nation; upon a nation, whose lands are mortgaged, whose revenues are anticipated, and whose taxes cannot be borne without murmurs, nor increased without sedition.

The nation has found, by experience, that taxes once imposed for just reasons, and continued upon plausible pretences, till they are become familiar, are afterwards continued upon motives less laudable, are too productive of influence, and too instrumental towards facilitating the measures of the ministry, to be ever willingly remitted.

Mr. BLADEN spoke next, as follows:—Sir, it is obvious, that when the balance is unequal, it may be reduced to an equilibrium, as well by taking weight out of one scale, as adding it to the other. The wages offered by the merchants overbalance, at present, those which are proposed by the crown; to raise the allowance in the ships of war, will be, to lay new loads upon the publick, and will incommode the merchants, whose wages must always bear the same proportion to the king's. The only method, then, that remains, is to lighten the opposite scale, by restraining the merchants from giving wages, in time of war, beyond a certain value; for, as the service of the crown is then more immediately necessary to the general advantage than that of the merchants, it ought to be made more gainful. Sailors, sir, are not, generally, men of very extensive views; and, therefore, we cannot expect that they should prefer the general good of their country before their own present interest; a motive of such power, that even in men of curious researches, refined sentiments, and generous education, we see, too often, that it surmounts every other consideration.

Lord BALTIMORE then spoke again:—Sir, to the expedient which the honourable gentleman who spoke last has suggested, and which he must be confessed to have placed

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in the strongest light, many objections may be raised, which I am afraid will not easily be removed.

The first, sir, which occurs to me on this short reflection is not less than the impossibility of putting his scheme in execution. The prescription of wages which he proposes, may be eluded by a thousand artifices, by advanced money, by gratuitous acknowledgments, the payment of money for pretended services, or by secret contracts, which it would be the interest of both parties to conceal.

But if this objection could be surmounted by severity and vigilance, would not this expedient help to defeat the general intention of the bill? A bill not designed as an immediate resource, a mere temporary project to supply our fleets for the present year, but as a method for removing the only obstruction of the British power, the difficulty of manning our ships of war.

It is, I hope, sir, the intention of every man who has offered his sentiments on this occasion, to contrive some general encouragement for seamen, which shall not only invite them to assist their country at the first summons, but shall allure others to qualify themselves for the publick service, by engaging in the same profession.

This is only to be done by making the condition of sailors less miserable, by entitling them to privileges, and honouring them with distinctions. But by limiting the merchant's wages, if such limitations are, indeed, possible, though we may palliate the present distress, we shall diminish the number of sailors, and thereby not only contract our commerce but endanger our country.

Mr. TRACEY spoke next, to the following effect:—Sir, I know not for what reasons the present method of advancing rewards at entrance is practised, of which, however specious it might appear, the success by no means encourages the continuance. The sailors, though not a generation of men much disposed to reflection, or qualified for ratiocination, are not yet so void of thought as not easily to perceive that a small increase of constant wages is of more value than several pounds to be paid only at

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once, and which are squandered as soon as they are received.

Instead, therefore, of restraining the wages of the merchants, it seems probable, that by raising those of the king, we may man the fleet with most expedition; and one method of raising the wages will be to suppress the advanced money.

The ATTORNEY-GENERAL spoke next:—Sir, if the sum of money now paid by way of advance can be supposed to have any effect, if it can be imagined that any number of seamen, however inconsiderable, are allured by it into the fleet, it is more usefully employed than it can be supposed to be when sunk into the current wages, and divided into small payments.

The advance money is only paid to those that enter: if no volunteers present themselves, no money is paid, and the nation doth not suffer by the offer: but if the wages are raised, the expense will be certain, without the certainty of advantage; for those that enter voluntarily into the fleet, will receive no more than those that are forced into it by an impress; and therefore there will be no incitement to enter without compulsion. Thus every other inconvenience will remain, with the addition of a new burden to the nation; our forces will be maintained at a greater expense, and not raised with less difficulty.

Lord BALTIMORE said:—Sir, I cannot but concur in opinion with the honourable gentleman who spoke last, from my own acquaintance with the sentiments and habits that unalterably prevail among those who have been accustomed to the sea, a race of men to the last degree negligent of any future events, and careless about any provision against distant evils; men who have no thoughts at sea, but how to reach the land; nor at land, but how to squander what they have gained at sea. To men like these, it may easily be imagined that no encouragement is equal to the temptation of present gain, and the opportunity of present pleasure.

Of this any man, sir, may convince himself, who shall talk to a crew but half an hour; for he shall find few

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among them, who will not, for a small sum of present money, sell any distant prospect of affluence or happiness.

Whether I am mistaken in my opinion, the honourable members who have long commanded in the naval service can easily determine, and I doubt not but they will agree that no motive can be proposed to a sailor equivalent to immediate reward.

Sir WILLIAM YONGE spoke next:—Sir, that some distinction ought to be made to the advantage of volunteers, if we intend to man our fleet without compulsion, is obvious and incontestable; and to avoid the necessity of compulsion ought to be the chief end of this bill; for nothing can be less to the advantage of the nation, than to continue the use of such ungrateful methods, and yet increase the publick expense.

We ought, therefore, in my opinion, to determine upon some peculiar reward, either to be advanced upon their entrance into the service, or paid at their dismission from it.

But as I see, sir, no reason for hoping that all the encouragement which can be offered, will raise volunteers in a sufficient number to secure our navigation, and assert our sovereignty, it seems not proper to confine our consultations to this part of the bill; for since compulsion is on many occasions apparently necessary, some method requires to be considered, in which it may be legal.

What new power ought to be placed in the magistrate, for what time, and with what restrictions, I am far from assuming the province of determining; but that some measures must be taken for compelling those who cannot be persuaded, and discovering those that will not offer themselves, cannot admit of doubt; and as the magistrate is at present without any authority for this purpose, it is evident that his power must be extended, for the same reason as it was given in its present degree—the general benefit of the whole community.

Sir JOHN BARNARD then spoke to the following effect:—Sir, if the intent of this bill be to enable one part of the nation to enslave the other; if the plausible and in-

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viting professions of encouraging and increasing seamen, are to terminate in violence, constraint, and oppression; it is unnecessary to dwell longer upon particular clauses. The intention of the bill is detestable, and deserves not the ceremony of debate, or the forms of common regard.

If a man, sir, is liable to be forced from the care of his own private affairs, from his favourite schemes of life, from the engagements of domestick tenderness, or the prospects of near advantage, and subjected, without his consent, to the command of one whom he hates, or dreads, or perhaps despises, it requires no long argument to show, that by whatever authority he is thus treated, he is reduced to the condition of a slave, to that abject, to that hateful state, which every Englishman has been taught to avoid at the hazard of his life.

It is therefore evident, that a law which tends to confer such a power, subverts our constitution as far as its effects extend; a constitution, which was originally formed as a barrier against slavery, and which one age after another has endeavoured to strengthen.

Such a power, therefore, in whatever hands it may be lodged, I shall always oppose. It is dangerous, sir, to intrust any man with absolute dominion, which is seldom known to be impartially exercised, and which often makes those corrupt and insolent, whom it finds benevolent and honest.

The bill proposes only encouragement, and encouragement may be given by his majesty, without a new law; let us, therefore, draw up an address, and cease to debate, where there is no prospect of agreement.

Mr. WINNINGTON spoke as follows:—Sir, the payment of an annual salary will, in my opinion, be to the last degree inconvenient and dangerous. The yearly expense has been already estimated, and arises to a sum very formidable in our present state. Nor is the necessity of adding to the publick burden, a burden which already is hard to be borne, the only objection to this proposal.

Nothing can more contribute to dispirit the nation, than to protract the consequences of a war, and to make the

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calamity felt, when the pleasures of victory and triumph have been forgotten; we shall be inclined rather to bear oppression and insult than endeavour after redress, if we subject ourselves and our posterity to endless exactions.

The expenses of the present provision for superannuated and disabled sailors, is no inconsiderable tax upon the publick, which is not less burdened by it for the manner of collecting it by a deduction from the sailors' wages; for, whoever pays it immediately, it is the ultimate gift of the nation, and the utmost that can be allowed for this purpose.

It must be confessed, sir, the persons entitled to the pension are not sufficiently distinguished in the bill; by which, as it now stands, any of the worthless superfluities of a ship, even the servants of the captains, may, after five years, put in their demand, and plunder that nation which they never served.

Nor do I think, sir, the efficacy of this method will bear any proportion to the expense of it; for I am of opinion, that few of the sailors will be much affected by the prospect of a future pension. I am, therefore, for dazzling them with five pounds, to be given them at their entrance, which will be but a single payment, and probably fill our fleets with greater expedition, than methods which appear more refined, and the effects of deeper meditation.

Lord GAGE spoke in the following manner:—Sir, nothing is more clear than that a yearly pension will burden the nation, without any advantage; and as it will give occasion to innumerable frauds, it is a method which ought to be rejected.

As to the new power, sir, which is proposed to be placed in the hands of the magistrates, it undoubtedly reduces every sailor to a state of slavery, and is inconsistent with that natural right to liberty, which is confirmed and secured by our constitution. The bill, therefore, is, in my opinion, defective in all its parts, of a tendency generally pernicious, and cannot be amended but by rejecting it.

Mr. HENRY PELHAM spoke next, to this effect:—Sir, I cannot but think it necessary, that on this occasion, at

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least, gentlemen should remit the ardour of disputation, and lay the arts of rhetorick aside; that they should reserve their wit and their satire for questions of less importance, and unite, for once, their endeavours, that this affair may meet with no obstructions but from its natural difficulty.

We are now, sir, engaged in a war with a nation, if not of the first rank in power, yet by no means contemptible in itself; and, by its alliances, extremely formidable. We are exposed, by the course of our trade, and the situation of our enemies, to many inevitable losses, and have no means of preventing our merchants from being seized, without any danger or expense to the Spaniards, but by covering the sea with our squadrons.

Nor are we, sir, to satisfy ourselves with barely defeating the designs of the Spaniards; our honour demands that we should force them to peace upon advantageous terms; that we should not repulse, but attack them; not only preserve our own trade and possessions, but endanger theirs.

It is by no means certain, sir, that in the prosecution of these designs we shall not be interrupted by the interest or jealousy of a nation far more powerful, whose forces we ought, therefore, to be able to resist.

A vigorous exertion of our strength will probably either intimidate any other power that may be inclined to attack us, or enable us to repel the injuries that shall be offered: discord and delay can only confirm our open enemies in their obstinacy, and animate those that have hitherto concealed their malignity to declare against us.

It is, therefore, sir, in no degree prudent to aggravate the inconveniencies of the measures proposed for accomplishing what every man seems equally to desire; to declaim against the expedients offered in the bill as pernicious, unjust, and oppressive, contributes very little to the production of better means. That our affairs will not admit of long suspense, and that the present methods of raising seamen are not effectual, is universally allowed; it, therefore, evidently follows, sir, that some other must be speedily struck out.

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I think it necessary to propose, that the house be resolved into a committee to-morrow morning; and hope all that shall assemble on this occasion, will bring with them no other passion than zeal for their country.

[The speaker having taken the chair, the chairman of the committee reported, that they had made some progress; and desiring leave to sit again, it was resolved to go into the committee again on the morrow.]

MARCH 4, 1740-1.

On the sixty-second day the affair was put off; but on the sixty-third, the house resolving itself into a committee, a clause was offered, by which five pounds were proposed to be advanced to an able seaman, and three pounds to every other man that should enter voluntarily into his majesty's service, after twenty days, and within sixty.

After which, Mr. WINNINGTON spoke as follows:—Sir, this is a clause in which no opposition can be apprehended, as those gentlemen who declared their disapprobation of the former, were almost unanimous in proposing this expedient, as the least expensive, and the most likely to succeed.

The time for the reception of volunteers upon this condition, is, sir, in my opinion, judiciously determined. If it was extended to a greater length, or left uncertain, the reward would lose its efficacy, the sailors would neglect that which they might accept at any time, and would only have recourse to the ships of war when they could find no other employment.

Yet I cannot conceal my apprehensions, that this bounty will not alone be sufficient to man our fleets with proper expedition; and that as allurements may be useful on one hand, force will be found necessary on the other; that the sailors may not only be incited to engage in the service by the hopes of a reward, but by the fear of having their negligence to accept it punished, by being compelled into the same service, and forfeiting their claim by staying to be compelled.

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Lord BALTIMORE then spoke to the following effect:—Sir, to the reward proposed in this clause, I have declared in the former conference on this bill, that I have no objection, and, therefore, have no amendment to propose, except with regard to the time limited for the payment.

As our need of seamen, sir, is immediate, why should not a law for their encouragement immediately operate? What advantage can arise from delays? Or why is not that proper to be advanced now, that will be proper in twenty days? That all the time between the enaction and operation of this law must be lost, is evident; for who will enter for two pounds, that may gain five by withholding himself from the service twenty days longer?

Nor do I think the time now limited sufficient; many sailors who are now in the service of the merchants, may not return soon enough to lay claim to the bounty, who would gladly accept it, and who will either not serve the crown without it, or will serve with disgust and complaints; as the loss of it cannot be imputed to their backwardness, but to an accident against which they could not provide.

Mr. WINNINGTON replied:—Sir, though I think the time now fixed by the bill sufficient, as I hope that our present exigency will be but of short continuance, and that we shall soon be able to raise naval forces at a cheaper rate, yet as the reasons alleged for an alteration of the time may appear to others of more weight than to me, I shall not oppose the amendment.

Sir John BARNARD next rose, and said:—Sir, with regard to the duration of the time fixed for the advancement of this bounty, we may have leisure to deliberate; but surely it must be readily granted by those who have expatiated so copiously upon the present exigencies of our affairs, that it ought immediately to commence. And if this be the general determination of the house, nothing can be more proper than to address his majesty to offer, by proclamation, an advance of five pounds, instead of two, which have been hitherto given; that while we are concerting other measures for the advantage of our country, those in which we have already concurred may be put in execution.

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Mr. PULTENEY rose up next, and spoke as follows:—Sir, I take this opportunity to lay before the house a grievance which very much retards the equipment of our fleets, and which must be redressed before any measures for reconciling the sailors to the publick service can be pursued with the least probability of success.

Observation, sir, has informed me, that to remove the detestation of the king's service, it is not necessary to raise the wages of the seamen; it is necessary only to secure them; it is necessary to destroy those hateful insects that fatten in idleness and debauchery upon the gains of the industrious and honest.

When a sailor, sir, after the fatigues and hazards of a long voyage, brings his ticket to the pay-office, and demands his wages, the despicable wretch to whom he is obliged to apply, looks upon his ticket with an air of importance, acknowledges his right, and demands a reward for present payment; with this demand, however exorbitant, the necessities of his family oblige him to comply.

In this manner, sir, are the wives of the sailors also treated when they come to receive the pay of their husbands; women, distressed, friendless, and unsupported; they are obliged to endure every insult, and to yield to every oppression. And to such a height do these merciless exacters raise their extortions, that sometimes a third part of the wages is deducted.

Thus, sir, do the vilest, the meanest of mankind, plunder those who have the highest claim to the esteem, the gratitude, and the protection of their country. This is the hardship which withholds the sailors from our navies, and forces them to seek for kinder treatment in other countries. This hardship, sir, both justice and prudence call upon us to remedy; and while we neglect it, all our deliberations will be ineffectual.

Mr. SOUTHWELL then spoke to this effect:—Sir, of the hardships mentioned by the honourable gentleman who spoke last, I have myself known an instance too remarkable not to be mentioned. A sailor in Ireland,

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after his voyage, met with so much difficulty in obtaining his wages, that he was at length reduced to the necessity of submitting to the reduction of near a sixth part. Such are the grievances with which those are oppressed, upon whom the power, security, and happiness of the nation are acknowledged to depend.

Sir ROBERT WALPOLE, the prime minister, then rose, and spoke as follows:—Sir, it is not without surprise that I hear the disgust of the sailors ascribed to any irregularity in the payment of their wages, which were never, in any former reign, so punctually discharged. They receive, at present, twelve months' pay in eighteen months, without deduction; so that there are never more than six months for which any demand remains unsatisfied.

But, sir, the punctuality of the payment has produced of late great inconveniencies; for there has been frequently a necessity of removing men from one ship to another; and it is the stated rule of the pay-office, to assign every man so removed his full pay. These men, when the government is no longer indebted to them, take the first opportunity of deserting the service, and engaging in business to which they are more inclined.

This is not a chimerical complaint, founded upon rare instances, and produced only to counterbalance an objection; the fact and the consequences are well known; so well, that near fourteen hundred sailors are computed to have been lost by this practice.

The PRESIDENT of the commons, who always in a committee takes his seat as another member, rose here, and spoke to the following effect, his honour being paymaster of the navy:—Mr. Chairman, the nature of the employment with which I am intrusted makes it my duty to endeavour that this question may be clearly understood, and the condition of the seamen, with regard to the reception of their pay, justly represented.

I have not been able to discover that any sailor, upon producing his ticket, was ever obliged to submit to the deduction of any part of his wages, nor should any clerk or officer under my inspection, escape, for such oppression,

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the severest punishment and most publick censure: I would give him up to the law without reserve, and mark him as infamous, and unworthy of any trust or employment.

But there are extortions, sir, by which those unhappy men, after having served their country with honesty and courage, are deprived of their lawful gains of diligence and labour. There are men to whom it is usual amongst the sailors to mortgage their pay before it becomes due, who never advance their money but upon such terms as cannot be mentioned without indignation. These men advance the sum which is stipulated, and by virtue of a letter of attorney are reimbursed at the pay-office.

This corruption is, I fear, not confined to particular places, but has spread even to America, where, as in his own country, the poor sailor is seduced, by the temptation of present money, to sell his labour to extortioners and usurers.

I appeal to the gentleman, whether the instance which he mentioned was not of this kind. I appeal to him without apprehension of receiving an answer that can tend to invalidate what I have asserted.

This, sir, is, indeed, a grievance pernicious and oppressive, which no endeavours of mine shall be deficient in attempting to remove; for by this the sailor is condemned, notwithstanding his industry and success, to perpetual poverty, and to labour only for the benefit of his plunderer.

[The clauses were then read, "empowering the justices of the peace, etc. to issue warrants to the constables, etc. to make general privy searches, by day or night, for finding out and securing such seamen and seafaring men as lie hid or conceal themselves; and making it lawful for the officers appointed to make such searches, to force open the doors of any house, where they shall *suspect* such seamen to be concealed, if entrance be not readily admitted; and for punishing those who shall harbour or conceal any seaman."]

Sir JOHN BARNARD upon this rose up, and spoke to the following effect:—Mr. Chairman, we have been hitherto deliberating upon questions, in which diversity of opi-

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nions might naturally be expected, and in which every man might indulge his own opinion, whatever it might be, without any dangerous consequences to the publick. But the clauses now before us are of a different kind; clauses which cannot be read without astonishment and indignation, nor defended without betraying the liberty of the best, the bravest, and most useful of our fellow-subjects.

If these clauses, sir, should pass into a law, a sailor and a slave will become terms of the same signification. Every man who has devoted himself to the most useful profession, and most dangerous service of his country, will see himself deprived of every advantage which he has laboured to obtain, and made the mere passive property of those who live in security by his valour, and owe to his labour that affluence which hardens them to insensibility, and that pride that swells them to ingratitude.

Why must the sailors alone, sir, be marked out from all the other orders of men for ignominy and misery? Why must they be ranked with the enemies of society, stopped like vagabonds, and pursued like the thief and the murderer by publick officers? How or when have they forfeited the common privilege of human nature, or the general protection of the laws of their country? If it is a just maxim, sir, that he who contributes most to the welfare of the publick, deserves most to be protected in the enjoyment of his private right or fortune; a principle which surely will not be controverted; where is the man that dares stand forth and assert, that he has juster claims than the brave, the honest, the diligent sailor?

I am extremely unwilling, sir, to engage in so invidious an undertaking as the comparison of the harmless, inoffensive, resolute sailor, with those who think themselves entitled to treat him with contempt, to overlook his merit, invade his liberty, and laugh at his remonstrances.

Nor is it, sir, necessary to dwell upon the peculiar merit of this body of men; it is sufficient that they have the same claims, founded upon the same reasons with our own, that they have never forfeited them by any crime, and, therefore, that they cannot be taken away without the

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most flagrant violation of the laws of nature, of reason, and of our country.

Let us consider the present condition of a sailor, let us reflect a little upon the calamities to which custom, though not law, has already made him subject, and it will surely not be thought that his unhappiness needs any aggravation.

He is already exposed to be forced, upon his return from a tedious voyage, into new hardships, without the intermission of a day, and without the sight of his family; he is liable, after a contract for a pleasing and gainful voyage, to be hurried away from his prospects of interest, and condemned amidst oppression and insolence, to labour and to danger, almost without the possibility of a recompense. He has neither the privilege of choosing his commander, nor of leaving him when he is defrauded and oppressed.

These, sir, I say, are the calamities to which he is now subject, but there is now a possibility of escaping them. He is not yet deprived of the right of resistance, or the power of flight; he may now retire to his friend, and be protected by him; he may take shelter in his own cottage, and treat any man as a robber, that shall attempt to force his doors.

When any crews are returning home in time of war, they are acquainted with the dangers of an impress, but they comfort themselves with contriving stratagems to elude it, or with the prospect of obtaining an exemption from it by the favour of their friends; prospects which are often deceitful, and stratagems frequently defeated, but which yet support their spirits, and animate their industry.

But if this bill, sir, should become a law, the sailor, instead of amusing himself on his return with the prospects of ease, or of pleasure, will consider his country as a place of slavery, a residence less to be desired than any other part of the world. He will probably seek, in the service of some foreign prince, a kinder treatment; and will not fail, in any country but his own, to see himself, at least, on a level with other men.

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Nor will this bill, sir, only give the seamen new reasons of disgust, but it will tend, likewise, to aggravate those grievances, which already have produced a detestation of the publick service, scarcely to be conquered.

The officers of the navy, sir, will hardly be made less insolent by an increase of power; they whose tyranny has already alienated their fellow-subjects from the king's service, though they could only depend upon the character of probity and moderation for the prospect of manning their ships in succeeding expeditions, will probably, when they are animated by a law like this, and made absolute both by land and sea, indulge themselves in the enjoyment of their new authority, contrive new hardships and oppressions, and tyrannise without fear and without mercy. Thus, sir, will the bill not only be tyrannical in itself, but the parent of tyranny; it will give security to the cruel, and confidence to the arrogant.

That any man, at least any man bred from his infancy to change his residence, and accustomed to different climates and to foreign nations, will fix by choice in that country where he finds the worst reception, is hardly to be imagined. We see indeed, that men unqualified to support themselves in other countries, or who have, by long custom, contracted a fondness for particular methods of life, will bear very uncomfortable circumstances, without endeavouring to improve their conditions by a change of their habitations. But the temper of a sailor, acquainted with all parts, and indifferent to all, is of another kind. Such, sir, is his love of change, arising either from wantonness, or curiosity, that he is hard to be retained by the kindest treatment and most liberal rewards; and will, therefore, never struggle with his habitual dispositions, only to continue in a state of slavery.

I think it, therefore, sir, very evident that this new method of *encouraging* sailors will be so far from *increasing* them, that it may probably drive them out of the empire, and at once ruin our trade and our navy; at once beggar and disarm us.

Let me now suppose, sir, for a moment, the bill less per-

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nicious in its consequences, and consider only the difficulties of executing it. Every seafaring man is to be seized, at pleasure, by the magistrate; but what definition is given of a seafaring man? Or by what characteristick is the magistrate to distinguish him? I have never been able to discover any peculiarities in the form of a seaman that mark him out from the rest of the species. There is, indeed, less servility in his air, and less effeminacy in his face, than in those that are commonly to be seen in drawing-rooms, in brothels, and at reviews; but I know not that a seaman can be distinguished from any other man of equal industry or use, who has never enervated himself by vice, nor polished himself into corruption. So that this bill, sir, if it shall pass into a law, will put it at once in the power of the magistrate to dispose of seamen at his pleasure, and to term whom he pleases a seaman.

Another expedient, sir, has been offered on this occasion, not equally tyrannical, but equally inadequate to the end in view. It is proposed to restrain the merchants from giving wages beyond a certain rate, on the supposition that the sailors have no motive but that of larger wages, to prefer the service of the merchants to that of the crown.

This, sir, is a mistake which might easily arise from a partial and imperfect knowledge of the affair, with which very few gentlemen have opportunities of being well acquainted. The wages, sir, are the smallest inducements which fix the seamen in their choice. The prospect of kinder treatment, the certainty of returning home in a fixed time, and the power of choosing what voyages they will undertake, cannot but be acknowledged very reasonable motives of preference.

On the contrary, sir, when they are once engaged in a ship of war, they know neither whither they are going, what dangers they shall encounter, what hardships they shall suffer, nor when they shall be dismissed.

Besides, sir, I do not think it possible by any law to limit the wages to be paid by merchants, since they will change the term of wages into that of a present, or admit

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the sailors to a small share in the freight, and so all the precaution we can take will become ineffectual.

In the mean time, sir, how much shall we embarrass our own commerce, and impair our natural strength—the power of our fleets? We shall terrify our sailors on the one hand, and endeavour to starve them on the other; we shall not only drive them from us by unheard-of severities, but take away every motive that can induce them to expose themselves to the danger of suffering them.

If we consider, sir, with what effect methods nearly approaching these were practised in the reign of the late queen, we shall find that not more than one thousand five hundred seamen were raised, and those at the expense of more than four thousand pounds; so that the effects bore no proportion to the means; our laws were infringed, and our constitution violated to no purpose.

But what reason, sir, can be assigned for which it must be more difficult to supply the fleet now with sailors than at any other time? This war, sir, was demanded by the publick voice, in pursuance of the particular remonstrances of the merchants, and it is not to be supposed that the sailors or any other body of men engage in it with a particular reluctance.

I am, therefore, inclined to believe that the suspicion of great numbers hid in the country, at a distance from the coast, is merely chimerical; and that if we should pass this bill, we should do nothing more than grant an oppressive and unconstitutional power of search for what, in reality, is not to be found.

How oppressive this power may become in the hands of a corrupt or insolent magistrate, any man may discover, who remembers that the magistrate is made judge without appeal, of his own right to denominate any man a sailor, and that he may break open any man's doors at any time, without alleging any other reason than his own suspicion; so that no man can secure his house from being searched, or, perhaps, his person from being seized.

It may, indeed, be alleged, sir, that this will be only a temporary law, and is to cease with the exigence that

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made it necessary: but long experience has informed us, that severe laws are enacted more readily than they are repealed; and that most men are too fond of power to suffer willingly the diminution of it.

But, sir, though this law should not be perpetuated, every precedent of an infringement of our constitution, makes way for its dissolution; and the very cessation of an oppressive law, may be a plea, hereafter, for the revival of it.

This bill, therefore, must be confessed to be at once violent and ineffectual; to be a transgression of the laws of justice to particular men, without any prospect of real benefit to the community; and, therefore, cannot be passed without deviating at once from prudence and our constitution.

Captain CORNWALL then rose, and spoke to this effect:—I have observed, sir, that every man is apt to think himself ill treated, who is not treated according to his own opinion of his deserts, and will endeavour to diffuse his own notion of the partiality and tyranny of the naval officers; general clamours, therefore, are little to be regarded.

I have had, from my early years, a command in the sea service, and can assert, that I never knew more than one instance of injustice, and that was punished with the severity which it deserved.

The PRIME MINISTER rose next, and spoke to this effect:—Mr. Chairman, it is with uncommon satisfaction that I see every clause of this bill regularly debated, without unbecoming impatience, or passionate exclamations. I am willing to collect from this conduct, that the disposition of every gentleman is, on this occasion, the same with my own; and that every expedient here proposed will be diligently examined, and either be seriously approved, or be calmly rejected.

Such coolness and impartiality, sir, is certainly required by the importance of the present question; a question which cannot but influence the prosperity of the nation for many years.

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It is not necessary to remind any gentleman of the importance of our trade, of the power of the enemy against whom we have declared war in defence of it, or of the necessity of showing the world that our declarations of war are not empty noises, or farces of resentment. But it may be proper, sir, to remark, that this is not the only enemy, nor the most powerful, whose attempts we have reason to provide against, and who may oblige us to exert our whole power, and practise every expedient to increase our forces.

The war has been, hitherto, prosecuted with the utmost vigour, with all the attention that its importance requires, and with success not disproportioned to our preparations; nor will it ever be suffered to languish, if the powers necessary for carrying it on are not denied.

Nothing is more evident, sir, than that the natural power of the nation consists in its fleets, which are now, by the care of the government, so numerous, that the united power of many nations cannot equal them. But what are fleets unfurnished with men? How will they maintain the dominion of the sea, by lying unactive in our harbours?

That no methods, hitherto used, have been sufficient to man our navies, and that our preparations have, therefore, been little more than an expensive show of war, the whole nation is sufficiently informed; it is, therefore, not doubtful that some new measures must be taken; whether any better can be suggested than are offered in this bill, must be inquired.

With regard, sir, to the clause now under our consideration, it is to be remembered, that little more is proposed by it, than to add the sanction of legality to a power which has long been exercised by the admiralty, without any other authority than that of long prescription, the power of issuing warrants of impress upon emergent occasions, by which sailors are forced into the publick service.

This power, in its present state, must be allowed to have no foundation in any law, and, by consequence, to be unlimited, arbitrary, and easily abused, and, upon the whole, to be justifiable only by necessity: but that necessity is so frequent, that it is often exercised, and, therefore, ought

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to be regulated by the legislature; and by making such regulations, we may rather be said to remove than introduce a grievance.

The power of searching for sailors, however it has been represented, is far from setting them on a level with felons, murderers, or vagabonds; or, indeed, from distinguishing them, to their disadvantage, from the rest of the community, of which every individual is obliged to support the government.

Those that possess estates, or carry on trades, transfer part of their property to the publick; and those ought, by parity of reason, to serve the publick in person, that have no property to transfer. Every man is secured by the constitution in the enjoyment of his life, his liberty, or his fortune; and, therefore, every man ought reciprocally to defend the constitution to which he is himself indebted for safety and protection.

I am, therefore, sir, unable to discover in what consists the hardship of a law by which no new duties are enjoined, nor any thing required, which is not already every man's duty. Every man, indeed, who is desirous of evading the performance of any of the duties of society, will consider every compulsion as a hardship, by which he is obliged to contribute to the general happiness; but his murmurs will prove nothing but his own folly and ingratitude, and will certainly deserve no regard from the legislative power.

There is in the bill before us, sir, encouragement sufficient for volunteers, and an offer of greater rewards than some gentlemen think consistent with the present state of the national revenues; and what remains to be done with respect to those who are deaf to all invitations, and blind to all offers of advantage? Are they to sit at ease only because they are idle, or to be distinguished with indulgence only for want of deserving it?

It seems generally granted, sir, that such drones are the proper objects of an impress. Let us then suppose that every man who is willing to serve his country, has laid hold of the reward proposed, and entered a volunteer. The fleets are not yet sufficiently manned, and more sailors

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must be procured. Warrants are issued out in the common form. The negligent, the imprudent, the necessitous, are taken. The vigilant, the cunning, and those that have more money, find shelter and escape. Can it be said, that those whose circumstances, or good fortune, enable them to secure themselves from the officers of the impress, deserve any exemption from the publick service, or from the hardships to which their companions are exposed? Have they discharged their debt of gratitude to the publick so effectually by running away from its service, that no search ought to be made after them? It seems evident, that if it was right to seize the one, it is likewise right to pursue the other; and if it be right to pursue him, it is likewise right to hinder him from escaping the pursuers. It is then right to vest some persons with the power of apprehending him, and in whom is that power to be lodged, but in the civil magistrate?

Every man, sir, is obliged by compulsive methods to serve his country, if he can be prevailed upon by no other. If any man shall refuse to pay his rates or his taxes, will not his goods be seized by force, and sold before his face? If any particular methods are proposed for obliging seamen to contribute to the publick safety, it is only because their service is necessary upon more pressing occasions than that of others; upon occasions which do not admit of delay, without the hazard of the whole community.

I must confess, sir, there are instances in which the hardships of the seafaring part of the nation are peculiar, and truly calamitous. A sailor, after the dangers and toils of a long voyage, when he is now in the sight of the port, where he hopes to enjoy that quiet which he has deserved by so long a series of fatigues, to repair the injuries which his health has suffered, by change of climate, and the diet of the ships, and to recover that strength which incessant vigilance has worn away; when he is in expectation of being received by his family with those caresses, which the succours that he brings them naturally produce, and designs to rest awhile from danger and from care; in the midst of these pleasing views, he is, on the

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sudden, seized by an impress, and forced into a repetition of all his miseries, without any interval of refreshment.

Let no man who can think without compassion on such a scene as this, boast his zeal for freedom, his regard for bravery, or his gratitude to those who contribute to the wealth and power of their country; let every man who declares himself touched with the pity which the slightest reflection upon such a disappointment must naturally produce, sincerely endeavour to obviate the necessity of such oppressive measures, which may, at least in part, be prevented, by assigning to magistrates the power of hunting out of their retreats, those who neglect the business of their callings, and linger at once in laziness and want.

There are great numbers who retire not from weariness but idleness, or an unreasonable prepossession against the publick service; and, surely, nothing is more unreasonable, than that bad dispositions should be gratified, and that industry should expose any man to penalties.

Upon the whole, sir, I am not able to discover, that any man should be exempted from an impress merely because he finds means to escape it, or because idleness or disinclination to the publick service prompts him to abscond.

If any men deserve indulgence, in opposition to the demands of the publick, they are rather those who have already, in some degree, discharged their duty to it, by contributing to bring in that wealth which is the consequence of a prosperous and well-regulated commerce, and without which war cannot be supported.

It is not without grief and regret, that I am obliged to represent, on this occasion, the obstructions which the war has suffered from those at whose request it was undertaken; and to declare, that the conduct of the merchants, has afforded proof that some law of this tendency is absolutely necessary.

The merchants, sir, who have so loudly complained of the decline of trade, the interruption of navigation, and the insolence, rapacity, and cruelty of the Spaniards; the merchants, who filled the nation with representations of their hardships, discouragements, and miseries, and la-

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mented, in the most publick manner, that they were the only body for whom the legislature had no regard, who were abandoned to the caprice of other nations, were plundered abroad, and neglected at home; the merchants, after having at length by their importunities engaged the state in a war, of which they have themselves certainly not the least pretensions to question either the justice or necessity, now, when by the natural consequences of a naval armament, sailors become less numerous, and ships more difficult to be equipped, contract in private with such sailors as they are inclined to employ, and conceal them in garrets, hired for that purpose, till the freight is ready, or the danger of an impress is past, and thus secure their own private affairs at the hazard of the publick, and hinder the operations of a war, which they, and they only, solicited.

The danger of having other enemies than the Spaniards, enemies, sir, more active, more powerful, and more ambitious, has already been mentioned; a danger so near, and so formidable, that he will not be thought very solicitous for his country, whom the bare mention of it does not alarm. This danger we are, therefore, to obviate by vigorous preparations, and unanimous resolutions; nor do I doubt but both our enemies, if they find us united, will repent of attacking us.

Sir, the most efficacious method of manning our fleets, which law or custom has yet put into our hands, is that of suspending our commerce by an embargo; and yet the whole nation knows how much, and by what means, it has been eluded: no sooner was it known that an embargo was laid, than the sailors flew away into the country, or hid themselves in corners of this great city, as from the most formidable danger; and no sooner did the embargo cease, than the banks of the river were again crowded with sailors, and all the trading vessels were immediately supplied.

As I cannot doubt, sir, that every gentleman is equally zealous for the success of the war, and the prosperity of his country and as the insufficiency of the present methods of

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providing for them is apparent, I hope, that either the regulations proposed by this bill, to which I see no important objections, or some other of equal use, will be established by a general concurrence.

Lord BALTIMORE spoke next:—Though no gentleman in this assembly, sir, can more ardently wish the success of the British arms, or shall more willingly concur in any measure that may promote it, yet I cannot agree to the clause now under our consideration; I disapprove it both from moral and political motives; I disapprove it as neither just nor prudent.

The injustice of so flagrant an invasion of the liberty of particular men has been already exposed; nor is it, in my opinion, less easy to discover the imprudence of exhausting all our supplies at once, and sweeping away all our sailors, to supply a single exigency.

It has often been remarked, sir, in favour of a standing army, that it is requisite to have a number of regular forces, who, though too weak to oppose an invasion, might be able to establish discipline in a larger body. An observation which may, with much greater justness, be applied to the seamen, whose art is much more difficult to be attained, and who are equally necessary in war and peace.

If our stock of seamen, sir, be destroyed, if there is not left in our trading vessels a sufficient number of experienced artists to initiate novices, and propagate the profession, not only our ships of war must lie useless, but our commerce sink to nothing.

Nor have I reason to believe the naval power of France so formidable, as that we ought to be terrified by the apprehensions of it into any extraordinary methods of procedure. I am informed that they have now very few ships of force left in their harbours; and that they have exerted their whole strength in the American fleet.

I am not, therefore, sir, for providing against present dangers, without regard to our future security; and think nothing more worthy of the consideration of this assembly, than the means of encouraging and increasing our seamen, which will not be effected by the bill before us.

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Land forces may be hired upon emergencies; but sailors are our own peculiar strength, and the growth of our own soil; we are, therefore, above all other regards, to attend, if I may use the term, to the preservation of the species.

Mr. VYNER next spoke:—Mr. Chairman, as there can be no stronger objection to any law than ambiguity, or indeterminate latitude of meaning, I think it necessary to propose, that some word of known and limited import, be substituted in the place of *seafaring men;* an expression which, if I was asked the meaning of it, I should find it difficult to explain.

Are *seafaring* men those only who navigate in the *sea?* The term is then superfluous, for all such are evidently comprised in the word *seamen.* Are they bargemen or watermen, who ply on rivers and transport provision or commodities from one inland town to another? In that sense nobody will affirm that it is a proper word; and impropriety in the expression of laws, produces uncertainty in the execution of them.

Captain CORNWALL rose up:—Sir, the term *seafaring men,* of which an explication is desired, is intended to include all those who live by conveying goods or passengers upon the water, whether the sea or inland rivers: nor can we restrain it to a narrower sense, without exempting from the publick service great numbers, whose manner of life has qualified them for it, and from whom their country may, with equal justice, expect assistance, as from those who are engaged in foreign traffick.

Mr. VYNER replied:—Sir, I am far from concurring with the honourable gentleman in his opinion, that the inland watermen are, by their profession, in any degree qualified for sea service, or can properly be called *seafaring men.*

All qualifications for the service must consist either in some knowledge of the arts of navigation, or in some familiarity with the dangers of the sea. With regard to any previous knowledge of naval business, it is well known that they have no advantage over any common labourer; for the manner of navigating a ship and a barge have, for the most part, nothing in common.

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Nor are these watermen, sir, more able to stand firm in the terrours of the storm, or the noise of a battle, than those who follow any other occupation. Many of them never saw the sea, nor have less dread of its danger than the other inhabitants of the inland counties. They are, therefore, neither *seafaring* men, nor peculiarly capable of being made *seamen*.

But the hardship upon particular men is not the strongest objection to this clause, which, by obstructing our inland navigation, may make our rivers useless, and set the whole trade of the nation at a stand. For who will bring up his son a waterman, who knows him exposed by that profession to be impressed for a seaman?

It seems, therefore, necessary, sir, either to omit the term *seafaring men**, or to explain it in such a manner, that inland watermen may not be included.

Lord GAGE spoke next:—Sir, so much has been urged against the compulsive methods proposed in this clause, and so little produced in favour of them, that it may seem superfluous to add any thing, or to endeavour, by a multiplicity of arguments, to prove what common reason must immediately discover. But there is one consequence of this clause which has not yet been observed, and which is yet too important not to be obviated by a particular proviso.

It is well known, sir, that many of those to whom this act will extend, are freeholders and voters, for electing the representatives of the nation; and it is therefore apparent, that elections may be influenced by an ill-timed or partial execution of it. How easy will it be, when an election approaches, to raise a false alarm, to propose some secret expedition, or threaten us with an invasion from some unknown country, and to seize on all the seafaring voters whose affections are suspected, and confine them at Spithead till the contest is over.

I cannot, therefore, sir, but think it necessary, that if this clause be suffered to pass, some part of its hateful

* Agreed to be omitted.

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consequences should be prevented by an exception in favour of freeholders and voters, which, surely, is no less than what every man owes to his own security, to the welfare of his country, and to those by whom he has been honoured with the care of their liberties.

Mr. HENRY PELHAM then said, as follows:—Sir, I do not rise in opposition to the proposal made by that right honourable member, nor do I think this the proper time either for opposing or approving it. Method is of the highest importance in inquiries like these; and if the order of the debate be interrupted by foreign questions, or incidental objections, no man will be able to consider the clauses before us with the attention necessary to his own satisfaction, or to the conviction of others; the mind will be dissipated by a multiplicity of views, and nothing can follow but perplexity and confusion.

The great end, sir, for which we are now assembled, is to strike out methods of manning the fleet with expedition and certainty. It is, therefore, proper, in the first place, to agree upon some general measures, to each of which there may, undoubtedly, be particular objections raised, that may be afterwards removed by exceptions or provisions; but these provisions should, for the sake of order, be inserted in particular clauses, to be separately considered.

Of this kind is the exception now offered, to which I have no objection but its present impropriety, and the interruption of the debate which it may now occasion; for I see, at present, no reason against admitting it in a particular clause.

When it is considered how much the success of the war may depend upon the determinations of this day, and how much our future happiness and security may depend upon the success of our present undertakings, I hope my solicitude for regularity and expedition will be easily excused.

Sir HIND COTTON answered:—I am not able, sir, to discover any imminent danger to the nation in suspending our attention to the clause before us, for a few moments;

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nor, indeed, do we cease to attend to it, while we are endeavouring to mollify it, and adapt it to our constitution.

The exception proposed is, in the opinion of the honourable gentleman, so reasonable, that he declares himself ready to approve it in another place; and, to me, no place seems more proper of its making part of this bill than this. As a connexion between the clause and exception appears necessary and immediate, I cannot see why it should be postponed, unless it is hoped that it may be forgotten.

Mr. PULTENEY then spoke:—Sir, that this exception should be forgotten there is no danger; for how long soever it be delayed, I will never agree to the act till I see it inserted. If we suffer the liberty of the freeholders to be infringed, what can we expect but to be charged with betraying our trust, and giving up to servitude and oppression those who deputed us to this assembly, as the guardians of their privileges, and the asserters of their birthright; a charge too just to be denied, and too atrocious to be borne.

Sir, the right of a freeholder is independent on every other circumstance, and is neither made more or less by wealth or poverty: the estate, however small, which gives a right of voting, ought to exempt the owner from every restraint that may hinder the exertion of his right; a right on which our constitution is founded, and which cannot be taken away without subverting our whole establishment.

To overlook the distinctions which the fundamental laws of our country have made in respect to different orders of men, and to regard only the accidents of affluence and necessity, is surely unjust in itself, and unworthy of this assembly; an assembly, sir, instituted principally to protect the weak against the strong, and deputed to represent those, in a collective state, who are not considerable enough to appear singly, and claim a voice in the legislature.

To expose an honest, a laborious, and an useful man, to

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be seized by the hands of an insolent officer, and dragged from the enjoyment of his right, only because he will not violate his conscience, and add his voice to those of sycophants, dependents, and prostitutes, the slaves of power, the drudges of a court, and the hirelings of a faction, is the highest degree of injustice and cruelty. Let us rather, sir, sweep away, with an impress, the drones of large fortunes, the tyrants of villages, and the oppressors of the poor; let us oblige those to serve their country by force, whose fortunes have had no other effect than to make them insolent and worthless; but let such who, by contributing to commerce, make every day some addition to the publick wealth, be left in the full enjoyment of the rights which they deserve: let those, by whose labour the expenses of the war are furnished, be excused from contributing to it by personal service.

It is necessary, sir, to have our laws established by the representatives of the people; it is necessary that those representatives should be freely elected; and, therefore, every law that obstructs the liberty of voters, is contrary to the fundamental laws of our constitution; and what multitudes may, by this law, be either hindered from giving their votes, or be terrified into such a choice as by no means corresponds with their judgments or inclinations, it is easy to foresee.

I am, indeed, of opinion, sir, that this clause cannot be adapted to our constitution, nor modified, by any expedient, into a law, which will not lay insupportable hardships upon the nation, and make way for absolute power. But as it is necessary that a constant supply of seamen should be provided, I think it not improper to observe, that there is one expedient yet remaining, by which, though it will not much assist us in our present exigence, the fleets of this nation may hereafter be constantly supported.

We have, at present, great numbers of charity schools established in this nation, where the children of the poor receive an education disproportioned to their birth. This has often no other consequences than to make them unfit for their stations, by placing them, in their own opinion,

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above the drudgery of daily labour; a notion which is too much indulged, as idleness, cooperating with vanity, can hardly fail to gain the ascendant, and which sometimes prompts them to support themselves by practices not only useless, but pernicious to society. This evil, sir, cannot be better obviated than by allotting a reasonable proportion out of every school to the service of the sea, in which, by entering early, they cannot fail to become proficients; and where their attainments, which, at present, too frequently produce laziness and dishonesty, might enable them to excel, and entitle them to promotion.

Mr. WINNINGTON replied:—Sir, notwithstanding the confidence with which some gentlemen have proposed this amendment, and the easiness with which others have consented to it, I declare, without hesitation, that I oppose it now, and intend to oppose it whenever it shall be offered, because it will defeat all the other provisions which shall be made in the bill.

I will venture to say, sir, that if every man, who has, by whatever tenure, the right of voting, shall be exempted from the necessity of contributing to the publick safety by his personal service, every man qualified for the sea will by some means acquire a vote.

Sir, a very small part of those who give their votes in this nation for representatives in senate, enjoy that right as the appendage of a freehold; to live in some towns, and to be born only in others, gives the unalienable privilege of voting. Any gentleman, to secure his own interest, or obstruct the publick service, may, by dividing a small piece of barren ground among a hundred sailors, exalt them all to freeholders, and exempt them from the influence of this law.

However, sir, I am not less a friend to the freeholders than those who propose the exception in their favour, but, in my opinion, the great interest of the freeholders is the preservation of their freeholds, which can only be secured by a vigorous exertion of the power of the nation, in the war which is now declared against the Spaniards.

Mr. BARRINGTON spoke next:—Sir, by the observa-

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tions which I have opportunities of making at the place which I have the honour to represent, I am convinced of the influence that this law will have upon all the boroughs along the coasts. There, most of the voters are, in one sense or other, sir, seafaring men, being, almost all of them, owners of vessels, and in some degree acquainted with navigation; they may, therefore, be hurried away at the choice of an officious or oppressive magistrate, who may, by partiality and injustice, obtain a majority, contrary to the general inclination of the people, and determine the election by his own authority.

Sir WILLIAM YONGE then said:—Sir, if every freeholder and voter is to be exempted from the influence of the law, the bill that we are with so much ardour endeavouring to draw up and rectify, and of which the necessity is so generally acknowledged, will be no other than an empty sound, and a determination without an object; for while we are empowering the government to call seamen into the service, we are exempting almost all that are able to serve from the denomination of seamen: what is this but to dispute without a subject? to raise with one hand and demolish with the other?

In the western parts of the nation, sir, where I reside, many who vote at elections claim their privilege by no other title than that of boiling a pot; a title which he who has it not, may easily obtain, when it will either gratify his laziness or his cowardice, and which, though not occasionally obtained, seems not sufficient to set any man out of the reach of a just and necessary law.

It is, therefore, sir, undoubtedly requisite that the terms of the exception should be explicit and definitive, and that only those should be exempted who have such possessions or qualifications as this assembly shall think a just title to exemption. For on the western coast, from whence great supplies may be expected, almost every sailor has a vote, to which nothing is there required but to hire a lodging, and boil a pot; after which, if this exception be admitted in all its latitude, he may sit at ease amidst the distresses of his country, ridicule the law which he has eluded, and set the magistrate at open defiance.

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The PRIME MINISTER spoke next:—As I think, Sir, some exception may be just and proper, so I suppose every gentleman will concur with me in rejecting one of such extent as shall leave no object for the operation of the law.

It is, in my opinion, proper to restrain the exemption to those freeholders who are possessed of such an estate as gives a vote for the representative of the county, by which those whose privilege arises from their property will be secured; and it seems reasonable that those who have privileges without property, should purchase them by their services.

Counsellor BROWN spoke next:—Sir, the exception proposed will not only defeat the end of the bill, by leaving it few objects, but will obstruct the execution of it on proper occasions, and involve the magistrate in difficulties which will either intimidate him in the exertion of his authority, or, if he persists in discharging his duty with firmness and spirit, will perhaps oblige him sometimes to repent of his fidelity.

It is the necessary consequence, sir, of a seaman's profession, that he is often at a great distance from the place of his legal settlement, or patrimonial possessions; and he may, therefore, assert of his own circumstances what is most convenient, without danger of detection. Distance is a security that prompts many men to falsehoods, by which only vanity is gratified; and few men will tell truth in opposition to their interest, when they may lie without apprehension of being convicted.

When, therefore, a magistrate receives directions to impress all the seamen within his district, how few will he find who will not declare themselves freeholders in some distant county, or freemen of some obscure borough. It is to no purpose, sir, that the magistrate disbelieves what he cannot confute; and if in one instance in a hundred he should be mistaken, and, acting in consequence of his errour, force a freeman into the service, what reparation may not be demanded?

I, therefore, propose it to the consideration of the committee, whether any man ought to claim exemption from

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this law by a title, that may so readily be procured, or so safely usurped.

The ATTORNEY GENERAL spoke next:—Sir, the practice of impressing, which has been declaimed against with such vehement exaggerations, is not only founded on immemorial custom, which makes it part of the common law, but is likewise established by our statutes; for I remember to have found it in the statutes of queen Mary, and therefore cannot allow that it ought to be treated as illegal, and anti-constitutional.

That it is not inconsistent with our constitution may be proved from the practice of erecting the royal standard, upon great emergencies, to which every man was obliged immediately to repair; this practice is as old as our constitution, and as it may be revived at pleasure, may be properly mentioned as equivalent to an impress.

Mr. VYNER answered:—This word, sir, which the learned member has by his wonderful diligence discovered in the statutes, may perhaps be there, but in a signification far different from that which it bears at present. The word was, without doubt, originally French, *prêt*, and implied what is now expressed by the term *ready*; and to impress any man was in those days only to make him *ready*, or engage him to hold himself in *readiness*, which was brought about not by compulsion, pursuit, and violence, but by the allurements of a pecuniary reward, or the obligation of some ancient tenure.

HOUSE OF COMMONS, MARCH 9, 1740-1.

On the sixty-sixth day, the consideration of the bill for raising seamen was resumed, and a clause read, by which every constable, headborough, tithingman, or other person, was liable to be examined upon oath by the justices of peace, who were empowered to lay a fine upon them for any neglect, offence, or connivance.

Sir JOHN BARNARD rose up, and spoke to the following effect:—Mr. Chairman, it is the peculiar happiness of

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the Britons, that no law can be made without the consent of their representatives, and I hope no such infatuation can ever fall upon them as may influence them to choose a representative capable of concurring in absurdities like this.

The folly, the iniquity, the stupidity of this clause, can only be conceived by hearing it repeated; it is too flagrant to be extenuated, and too gross to admit exaggerations: to oblige a man to make oath against himself, to subject himself by his own voice to penalties and hardships, is at once cruel and ridiculous, a wild complication of tyranny and folly.

To call upon any man to accuse himself, is only to call upon him to commit perjury, and has therefore been always accounted irrational and wicked: in those countries where it is practised, the confession is extorted by the rack, which indeed is so necessary on such occasions, that I should not wonder to hear the promoters of this clause openly declaring for the expediency of tortures.

Nothing is more evident than that this bill, however the importance of the occasion may be magnified, was drawn up without reflection, and that the clauses were never understood by those that offered them: errours like these must arise only from precipitation and neglect, for they are too gross to be committed either by ignorance or design.

To expose such absurdities is, indeed, easy, but not pleasing; for what end is answered by pointing at folly, or how is the publick service advanced by showing that the methods proposed are totally to be rejected? Where a proposition is of a mixed kind, and only erroneous in part, it is an useful and no disagreeable task to separate truth from errour, and disentangle from ill consequences such measures as may be pursued with advantage to the publick; but mere stupidity can only produce compassion, and afford no opportunities for inquiry or dispute.

Admiral WAGER replied:—Sir, this clause, however contemptuously treated, has been already passed into a law by a senate which brought no dishonour upon the

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British nation, by a senate which was courted and dreaded by the greatest part of the universe, and was drawn up by a ministry that have given their posterity no reason to treat them with derision and contumely.

In the reign of the late great queen, this method of proceeding was approved and established, and we may judge of the propriety of the measures followed in that war by the success which they procured.

Those, therefore, by whom this bill was drawn up have committed no new absurdities, nor have proposed any thing which was not enacted by the wisest of our predecessors, in one of the most illustrious periods of our history.

Mr. GYBBON answered:—Sir, I am far from thinking a proposition sufficiently defended by an assertion that it was admitted by our predecessors; for though I have no inclination to vilify their memory, I may without scruple affirm, that they had no pretensions to infallibility, and that there are in many of our statutes instances of such ignorance, credulity, weakness, and errour, as cannot be considered without astonishment.

In questions of an abstruse and complicated nature, it is certain, sir, that experience has taught us what could never have been discovered previously by the wisdom of our ancestors; and we have found, by their consequences, the impropriety of many practices which they approved, and which we should have equally applauded in the same circumstances.

But to what purpose is observation, if we must shut our eyes against it, and appeal for ever to the wisdom of our ancestors?—if we must fall into errour, merely because they were mistaken, and rush upon rocks out of veneration to those who were wrecked against them.

In questions easily to be examined, and determinations which comprised no perplexing contrarieties of interest, or multiplicity of circumstances, they were equally liable with ourselves to be supine and negligent, to sink into security, or be surprised by haste. That the clause now before us was enacted by them, must be ascribed merely

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to the hurry of the session in which it was brought before them; a time in which so many inquiries of the highest importance were to be made, and great diversity of views to be regarded, that it is no wonder that some absurdities should escape without detection.

In the fourth of the reign of the queen, this bill was brought in, as now, at the latter end of a session, when the attention of the senate was fatigued and distracted; and it was hurried through both houses, and ratified by the queen, with very little consideration.

But then, as this circumstance may be justly termed an extenuation of their errour, it ought to be a lesson of caution to us, that we may not be, in the like manner, betrayed into the same weakness.

Mr. HENRY PELHAM next rose up:—Sir, the conduct of our predecessors seems not to stand in need of any excuse; for it might be easy to vindicate it by arguments, but that it is more proper to approve it by imitation.

Whenever the bill was passed, or how hastily soever the law was enacted, it was, I believe, rather the effect of necessity than of inadvertency; of the same necessity which now presses, and which is very ill consulted by tedious debates.

They were then involved in a war, and were not so distracted by private interests as not to unite in the most vigorous opposition of their enemies. They knew that the publick good is often promoted by the temporary inconveniencies of individuals; and when affairs of the highest importance demanded their attention, when the security of the whole nation and the happiness of their posterity were the subject of their inquiries, they wisely suffered less considerations to pass, without superfluous and unseasonable solicitude.

How justly they reasoned, sir, and what vigour their resolutions gave to the military operations, our victories are a sufficient proof: and if experience be the surest guide, it cannot be improper to imitate those who, in the same circumstances with ourselves, found means to raise the honour, and improve the commerce of their country.

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That our circumstances are the same with those of the senate by which this law was made, is obvious beyond dispute; or where they vary, the difference is, perhaps, to our disadvantage. We have, sir, the same enemies, or, at least, have reason to apprehend the same; but have little hope of the same allies. The present war is to be carried on at a greater distance, and in more places at the same instant; we cannot, therefore, supply our ships occasionally, but must raise great numbers in a short time.

If, therefore, it was then concluded, that the method under our examination was useful; if measures, not eligible in themselves, may be authorized by necessity, why may not we, in compliance with the same exigencies, have recourse to the same expedients?

Sir WILLIAM YONGE then spoke:—Sir, how much weight is added to the determinations of the senate, by the dignity of their procedure, and the decency of their disputations, a slight knowledge of mankind is sufficient to evince. It is well known that government is supported by opinion; and that he who destroys the reputation, destroys the authority of the legislative power. Nor is it less apparent, that he who degrades debate into scurrility, and destroys the solemnity of consultation, endeavours to sink the senate into contempt.

It was, therefore, sir, with indignation and surprise, that I heard the clause before us censured with such indecency of language, and the authors of it treated with contumelies and reproaches that mere errour does not deserve, however apparent, but which were now vented before any errour was detected.

I know not, sir, why the gentlemen, who are thus indecently attacked, have suffered such reproaches without censure, and without reply. I know not why they have omitted to put the honourable gentleman in mind of the respect due to this assembly, or to the characters of those whom he opposes; gentlemen equally skilled with himself in the subject of our inquiries, and whom his own attainments, however large, or his abilities, however comprehen-

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sive, cannot give him a right to charge with ignorance or folly.

To reproach men with incapacity, is a cheap method of answering their arguments; but a method which the rules of this house ought to exclude from our debates, as the general civility of the world has banished it from every other place of concourse or conversation.

I, for my part, sir, shall always endeavour to confine my attention to the question before us, without suffering my reason to be biassed, or my inquiries diverted by low altercations, or personal animosities; nor when any other man deviates into reproachful and contemptuous language, shall I be induced to think more highly of either his arguments or capacity.

Sir JOHN BARNARD replied:—Sir, I have always heard it represented as an instance of integrity, when the tongue and heart move in concert, when the words are representations of the sentiments; and have, therefore, hitherto, endeavoured to explain my arguments with perspicuity, and impress my sentiments with force; I have thought it hypocrisy to treat stupidity with reverence, or to honour nonsense with the ceremony of a confutation. As knavery, so folly, that is not reclaimable, is to be speedily despatched; business is to be freed from obstruction, and society from a nuisance.

Nor, sir, when I am censured by those whom I may offend, by the use of terms correspondent with my ideas, will I, by a tame and silent submission, give reason to suspect that I am conscious of a fault, but will treat the accusation with open contempt, and show no greater regard to the abettors, than to the authors of absurdity.

That decency is of great use in publick debates, I shall readily allow; it may sometimes shelter folly from ridicule, and preserve villany from publick detection; nor is it ever more carefully supported, than when measures are promoted that nothing can preserve from contempt, but the solemnity with which they are established.

Decency is a proper circumstance; but liberty is the essence of senatorial disquisitions: liberty is the parent of

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truth; but truth and decency are sometimes at variance: all men and all propositions are to be treated here as they deserve; and there are many who have no claim either to respect or decency.

Mr. WINNINGTON then rose:—Sir, that it is improper in its own nature, and inconsistent with our constitution, to lay any man under an obligation to accuse himself, cannot be denied; it is, therefore, evident, that some amendment is necessary to the clause before us.

I have, for this reason, drawn up an amendment, sir, which, if approved by the committee, will, in my opinion, remove all the objections to this part of the bill, and, by reconciling it with our natural and legal rights, I hope, induce those to approve it, who have hitherto opposed it.

I therefore propose, that these words should be substituted instead of those which are the subject of the debate; or some other to this purpose: *That no person shall be liable to be fined by virtue of this act, unless a witness, being examined, shall make oath of the misdemeanour or neglect.*

Thus the necessity of examining men upon oath in their own cause will be entirely taken away; and, as the clause will then stand, there will remain no suspicion of injustice, or oppression, because none can be practised without the concurrence of many persons of different interests.

[This clause, though agreed to in the committee, was at last rejected.]

Mr. HORACE WALPOLE spoke next, to this effect:—Mr. Chairman, it does not yet appear that the gentlemen who have engaged in this debate, have sufficiently attended to the exigence of our affairs, and the importance of the question. They have lavished their oratory in declaiming upon the absurdity of the methods proposed, and discovered their sagacity, by showing how future navies may be supplied from charity schools, but have substituted no expedients in the place of those which they so warmly condemn, nor have condescended to inform us, how we may now guard our coasts, or man our fleets for immediate service.

There are some circumstances, sir, of the present war,

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which make our necessity of raising sea forces greater than in those of William, and Anne that succeeded him. The chief advantages that we gained over the French, in their wars, were the consequences of our victories by land.

At sea, sir, the balance was almost equal, though the Dutch fleet and ours were united; nor did they quit the sea because their fleets were destroyed, but because they were obliged to recruit their land forces with their sailors. Should they now declare war against us, they would be under no such necessity of defrauding the sea service, for they have now on foot an army of one hundred and sixty thousand men, which are maintained at no greater expense than forty thousand, by the British government; as they are, therefore, sir, so formidable by land, we have no way of opposing them but by our sea forces.

Nor is their navy so contemptible as some have, either by conjecture or misinformation, represented it. The fleet which they have despatched to America, consists not of fewer than twenty ships, of which the least carry sixty guns, and they are fitting out now an equal number in their own ports; besides, their East India company is obliged to furnish ten ships of the line, at the demand of the government.

Thus it appears that we have neighbours sufficiently powerful to alarm us with the sense of immediate danger; danger which is made more imminent by the expeditious methods by which the French man their fleets, and which we must imitate if we hope to oppose them with success.

I need not say how little we can depend upon any professions of neutrality, which will be best observed when they cannot be securely violated; or upon the pacifick inclination of their minister, which interest, persuasion, or caprice, may alter, and to which it is not very honourable to trust for safety. How can that nation sink lower, which is only free because it is not invaded by its neighbours; and retains its possessions, only because no other has leisure or inclination to take them away?

If it be asked, what can provoke the French to interrupt us in the prosecution of our designs, and in the pun-

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ishment of those who have plundered and insulted us, it is not only easy to urge the strict alliance between the two crowns, the ties of blood, the conformity of interests, and their equal hatred of the Britons, but another more immediate reason may be added. It is suspected, that under pretence of vindicating our own rights, we are endeavouring to gain the possession of the Spanish dominions, and engross the wealth of the new world; and that, therefore, it is the interest of every power, whose subjects traffick to those countries, to oppose us.

Thus, whether we succeed or fail in our attempts upon America, we have the French power to apprehend. If we make conquests, they may, probably, think it necessary to obviate the torrent of our victories, and to hinder the increase of our dominions, that they may secure their own trade, and maintain their own influence.

If we should be defeated, of which no man, sir, can deny the possibility, the inclination of all to insult the depressed, and to push down the falling, is well known; nor can it be expected that our hereditary enemies would neglect so fair an opportunity of attacking us.

How they might ravage our coasts, and obstruct our trade; how they might triumph in the Channel, and block us up in our own ports, bombard our towns, and threaten us with invasions, I hope I need but barely mention, to incite this assembly to such despatch in manning our fleets, as may secure us at once from insults and from terrour.

It is, undoubtedly, sir, in our power to raise a naval force sufficient to awe the ocean, and restrain the most daring of our enemies from any attempts against us; but this cannot be effected by harangues, objections, and disputations.

There is nothing, sir, more frequently the subject of raillery or declamation, than the uselessness or danger of a standing army, to which I declare myself no otherwise inclined than by my concern for the common safety; I willingly allow that not one soldier ought to be supported by the publick, whose service is not necessary; but surely none of those who declare so warmly for the honour and

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privileges of their country, would expose it to the insults of foreign powers, without defence. If, therefore, they think the danger of land forces more than equivalent to the benefit, they ought unanimously to concur in the increase of our naval strength, by which they may be protected, but cannot be oppressed: they ought willingly to give their assistance to any propositions for making the fleet formidable, that their declarations against the army may not be thought to proceed from a resolution to obstruct the measures of the government, rather than from zeal for the constitution. For he that equally opposes the establishment of the army, and the improvement of the navy, declares in effect against the security of the nation; and though, perhaps, without design, exposes his countrymen to the mercy of their enemies.

Mr. PULTENEY spoke next:—Sir, I cannot discover for what reason the bill before us is so vigorously supported, but must observe, that I have seldom known such vehement and continued efforts produced by mere publick spirit, and unmingled regard for the happiness of the nation. Nothing, sir, that can be urged in favour of the measures now proposed has been omitted. When arguments are confuted, precedents are cited; when precedents fail, the advocates for the bill have recourse to terrour and necessity, and endeavour to frighten those whom they cannot convince.

But, perhaps, sir, these formidable phantoms may soon be put to flight, and, like the other illusions of cowardice, disappear before the light. Perhaps this necessity will be found only chimerical; and these dangers appear only the visions of credulity, or the bugbears of imposture.

To arrive at a clear view of our present condition, it will be necessary, sir, not to amuse ourselves with general assertions, or overwhelm our reason by terrifying exaggerations: let us consider distinctly the power and the conduct of our enemies, and inquire whether they do not affright us more than they are able to hurt us.

That the force of Spain alone, sir, is much to be dreaded, no man will assert; for that empire, it is well

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known, has long been seized with all the symptoms of declining power, and has been supported, not by its own strength, but by the interests of its neighbours. The vast dominions of the Spaniards are only an empty show; they are lands without inhabitants, and, by consequence, without defence; they are rather excrescences, than members of the monarchy, and receive support rather than communicate. In the distant branches of their empire the government languishes, as the vital motion in an expiring body; and the struggles which they now make, may be termed rather agonies than efforts.

From Spain, therefore, unassisted, we have nothing to apprehend, and yet from thence we have been threatened with insults and invasions.

That the condition of the French is far different, cannot be denied; their commerce flourishes, their dominions are connected, their wealth increases, and their government operates with full vigour: their influence is great, and their name formidable. But I cannot allow, sir, that they have yet attained such a height of power as should alarm us with constant apprehensions, or that we ought to secure ourselves against them by the violation of our liberties. Not to urge that the loss of freedom, and the destruction of our constitution, are the worst consequences that can be apprehended from a conquest, and that to a slave the change of his master is of no great importance, it is evident, that the power of the French is of such kind as can only affect us remotely, and consequentially. They may fill the continent with alarms, and ravage the territories of Germany, by their numerous armies, but can only injure us by means of their fleets. We may wait, sir, without a panick terrour, though not without some degree of anxiety, the event of their attempts upon the neighbouring princes, and cannot be reduced to fight for our altars and our houses, but by a second armada, which, even then, the winds must favour, and a thousand circumstances concur to expedite.

But that no such fleet can be fitted out by the united endeavours of the whole world; that our navy, in its present state, is superiour to any that can be brought against

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us, our ministers ought not to be ignorant: and, therefore, to dispirit the nation with apprehensions of armies hovering in the air, and of conquerors to be wafted over by supernatural means, is to destroy that happiness which government was ordained to preserve; to sink us to tameness and cowardice; and to betray us to insults and to robberies.

If our danger, sir, be such as has been represented, to whom must we impute it? Upon whom are our weakness, our poverty, and our miseries to be charged? Upon whom, but those who have usurped the direction of affairs which they did not understand, or to which their solicitude for the preservation of their own power hindered them from attending?

That the Spaniards, sir, are now enabled to make resistance, and, perhaps, to insult and depopulate our colonies; that the French have despatched a fleet into the American seas, to obstruct, as may be conjectured, the progress of our arms, and that we are in danger of meeting opposition which we did not expect, is too evident to be concealed.

But, sir, is not the spirit of our enemies the consequence rather of our cowardice than of their own strength? Does not the opposition to our designs, by whatever nation it shall be made, arise from the contempt which has been brought upon us by our irresolution, forbearance, and delays? Had we resented the first insult, and repaired our earliest losses by vigorous reprisals, our merchants had long ago carried on their traffick with security, our enemies would have courted us with respect, and our allies supported us with confidence.

Our negotiations, treaties, proposals, and concessions, not only afforded them leisure to collect their forces, equip their fleets, and fortify their coasts; but gave them, likewise, spirit to resist those who could not be conquered but by their own cowardice and folly. By our ill-timed patience, and lingering preparations, we encouraged those to unite against us, who would, otherwise, have only hated us in secret; and deterred those from declaring in our favour, whom interest or gratitude might have inclined to

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assist us. For who will support those from whom no mutual support can be expected? And who will expect that those will defend their allies, who desert themselves?

But, sir, however late our resentment was awakened, had the war been prosecuted vigorously after it was declared, we might have been now secure from danger, and freed from suspense, nor would any thing have remained but to give laws to our enemies.

From the success of Vernon with so inconsiderable forces, we may conjecture what would have been performed with an armament proportioned to his undertaking; and why he was not better supplied, no reason has yet been given; nor can it be easily discovered why we either did not begin the war before our enemies had concerted their measures, or delay it till we had formed our own.

Notwithstanding some opportunities have been neglected, and all the advantages of a sudden attack have been irrecoverably lost; notwithstanding our friends, sir, have learned to despise and neglect us, and our enemies are animated to confidence and obstinacy, yet our real and intrinsick strength continues the same; nor are there yet any preparations made against us by the enemy, with views beyond their own security and defence. It does not yet appear, sir, that our enemies, however insolent, look upon us as the proper objects of a conquest, or that they imagine it possible to besiege us in our own ports, or to confine us to the defence of our own country. We are not, therefore, to have recourse to measures, which, if they are ever to be admitted, can be justified by nothing but the utmost distress, and can only become proper, as the last and desperate expedient. The enemy, sir, ought to appear not only in our seas, but in our ports, before it can be necessary that one part of the nation should be enslaved for the preservation of the rest.

To destroy any part of the community, while it is in our power to preserve the whole, is certainly absurd, and inconsistent with the equity and tenderness of a good government: and what is slavery less than destruction? What greater calamity has that man to expect, who has been al-

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ready deprived of his liberty, and reduced to a level with thieves and murderers? With what spirit, sir, will he draw his sword upon his invaders, who has nothing to defend? Or why should he repel the injuries which will make no addition to his misery, and will fall only on those to whom he is enslaved?

It is well known that gratitude is the foundation of our duty to our country, and to our superiours, whom we are obliged to protect upon some occasions, because, upon others, we receive protection from them, and are maintained in the quiet possession of our fortunes, and the security of our lives. But what gratitude is due to his country from a man distinguished, without a crime, by the legislature, from the rest of the people, and marked out for hardships and oppressions? From a man who is condemned to labour and to danger, only that others may fatten with indolence, and slumber without anxiety? From a man who is dragged to misery without reward, and hunted from his retreat, as the property of his master?

Where gratitude, sir, is not the motive of action, which may easily happen in minds not accustomed to observe the ends of government, and relations of society, interest never fails to preside, which may be distinguished from gratitude, as it regards the immediate consequences of actions, and confines the view to present advantages. But what interest can be gratified by a man who is not master of his own actions, nor secure in the enjoyment of his acquisitions? Why should he be solicitous to increase his property, who may be torn from the possession of it in a moment? Or upon what motive can he act who will not become more happy by doing his duty?

Many of those to whom this bill is proposed to extend, have raised fortunes at the expense of their ease, and at the hazard of their lives; and now sit at rest, enjoying the memory of their past hardships, and inciting others to the prosecution of the same adventures. How will it be more reasonable to drag these men from their houses, than to seize any other gentleman upon his own estate? and how negligently will our navigation and our commerce be pro-

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moted, when it is discovered that either wealth cannot be gained by them, or, if so gained, cannot be enjoyed.

But it is still urged, sir, that there is a necessity of manning the fleet; a necessity which, indeed, cannot totally be denied, though a short delay would produce no frightful consequences, would expose us to no invasions, nor disable us from prosecuting the war. Yet, as the necessity at least deserves the regard of the legislature, let us consider what motives have hitherto gained men over to the publick service; let us examine how our land forces are raised, and how our merchants equip their ships. How is all this to be effected without murmurs, mutinies, or discontent, but by the natural and easy method of offering rewards?

It may be objected, sir, that rewards have been already proposed without effect; but, not to mention the corrupt arts which have been made use of to elude that promise, by rejecting those that came to claim them, we can infer from their inefficacy only, that they were too small; that they were not sufficient to dazzle the attention, and withdraw it from the prospect of the distant advantages which may arise from the service of the merchants. Let the reward, therefore, be doubled, and if it be not then sufficient, doubled anew. There is nothing but may be bought, if an adequate price is offered; and we are, therefore, to raise the reward, till it shall be adjudged by the sailors equivalent to the inconveniencies of the service.

Let no man urge, that this is profusion; that it is a breach of our trust, and a prodigality of the publick money. Sir, the money thus paid is the price of liberty; it is disbursed to hinder slavery from encroaching, to preserve our natural rights from infraction, and the constitution of our country from violation. If we vote away the privilege of one class among us, those of another may quickly be demanded; and slavery will advance by degrees, till the last remains of freedom shall be lost.

But perhaps, sir, it will appear, upon reflection, that even this method needs not to be practised. It is well known, that it is not necessary for the whole crew of a ship to be expert sailors; there must be some novices,

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and many whose employment has more of labour than of art. We have now a numerous army, which burdens our country, without defending it, and from whom we may, therefore, draw supplies for the fleet, and distribute them amongst the ships in just proportions; they may immediately assist the seamen, and will become able, in a short time, to train up others.

It will, doubtless, sir, be objected to this proposal, that the continent is in confusion, and that we ought to continue such a force as may enable us to assist our allies, maintain our influence, and turn the scale of affairs in the neighbouring countries. I know not how we are indebted to our allies, or by what ties we are obliged to assist those who never assisted us; nor can I, upon mature consideration, think it necessary to be always gazing on the continent, watching the motions of every potentate, and anxiously attentive to every revolution. There is no end, sir, of obviating contingencies, of attempting to secure ourselves from every possibility of danger. I am, indeed, desirous that our friends, if any there be that deserve that name, should succeed in their designs, and be protected in their claims; but think it ought always to be remembered, that our own affairs affect us immediately, theirs only by consequence, and that the nearest danger is to be first regarded.

With respect to the amendment offered to this clause, I cannot see that it will produce any advantage, nor think any evidence sufficient to justify the breach of our constitution, or subject any man to the hardship of having his dwelling entered by force.

And, sir, I am not entirely satisfied of the impartiality and equity with which it is promised that this law will be put in execution, or what new influence is to cooperate with this law, by which corruption and oppression will be prevented.

It is well known, sir, that many other laws are made ineffectual by partiality or negligence, which remarkably appears by the immense quantities of corn that are daily carried into foreign countries, by illegal exportations, by

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which traffick I am informed that we obtain most of our foreign gold, which, in reality, is paid us for corn by the Dutch; though it is studiously represented to the nation as gained by our traffick with Portugal. Who can assure us that this law will not be perverted, after the example of others? and that there will not be wretches found that may employ it to the extortion of money, or the gratification of revenge?

Thus, sir, I have shown by what means our fleet may now be equipped, and how a supply of sailors may be perpetuated; for I cannot think how the boys which are educated in charity schools can be more properly employed. A proportion may be easily selected for the service, who will benefit the publick much more than by serving sharpers and attorneys, and pilfering either at low gaming houses, or in the inns of court.

Since, therefore, it is not pretended, sir, that this bill can be justified otherwise than by necessity, and it appears that supplies may be raised by other means; since, instead of increasing and encouraging seamen, nothing is proposed that does not manifestly tend, by depressing and harassing them, to diminish their numbers, I think it reasonable to declare that I shall continue to oppose it, and hope that every friend of liberty, or commerce, will concur in the opposition.

Sir ROBERT WALPOLE spoke next, to the following effect:—Sir, I have considered the bill before us with the utmost impartiality, and I can see no reason to apprehend that it will produce such universal discontent, and give occasion to so many abuses, as the honourable gentlemen by whom it is opposed, appear to suspect. It is not uncommon, sir, in judging of future events, and tracing effects from causes, for the most sagacious to be mistaken.

The safest method of conjecturing upon the future, is to consider the past, for it is always probable, that from like causes like consequences will arise. Let us, therefore, sir, examine what injustice or oppression has been hitherto produced by laws of the same kind.

The power of searching, however it is now become the

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subject of loud exclamation and pathetick harangues, is no new invasion of the rights of the people, but has been already granted in its utmost extent, for an end of no greater importance than the preservation of the game. This formidable authority has been already trusted to the magistrate, and the nation has been already subjected to this insupportable tyranny, only lest the hares and partridges should be destroyed, and gentlemen be obliged to disband their hounds and dismiss their setting dogs. Yet, sir, even with regard to this power, thus exorbitant, and thus lightly granted, I have heard no general complaints, nor believe that it is looked upon as a grievance by any, but those whom it restrains from living upon the game, and condemns to maintain themselves by a more honest and useful industry.

I hope, sir, those that think this law for the preservation of their amusement, rational and just, will have at least the same regard to the defence of their country, and will not think their venison deserves greater solicitude than their fortunes and their liberties.

Nor is it difficult, sir, to produce instances of the exercise of this power, for the end which is now proposed, without any consequences that should discourage us from repeating the experiment. I have now in my hand a letter, by which the mayor and aldermen of Bristol are empowered to seize all the sailors within the bounds of their jurisdiction, which order was executed without any outcries of oppression, or apprehensions of the approach of slavery.

That this law, sir, will be always executed with the strictest impartiality, and without the least regard to any private purposes, cannot, indeed, be demonstratively proved; every law may possibly be abused by a combination of profligates; but it must, I think, be granted, that it is drawn up with all the caution that reason, or justice, or the corruption of the present age requires. I know not what can be contrived better than an association of men, unlikely to concur in their views and interests—a justice of the peace, a lieutenant of a ship, and a commissioner of

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the navy—three men, probably unknown to each other, and of which no one will be at all solicitous to desire the rest to unite to commit a crime, to which no temptation can be readily imagined.

This caution, sir, which cannot but be approved, and which surely is some proof of judgment and consideration, ought, in my opinion, to have exempted the bill, and those by whose assistance it was drawn up, from the reproachful and indecent charge of absurdity, ignorance, and incapacity; terms which the dignity of this assembly does not admit, even when they are incontestably just, and which surely ought not to be made use of when the question is of a doubtful nature.

The gentlemen, sir, who are now intrusted with publick employments, have never yet discovered that they are inferiour to their predecessors in knowledge or integrity; nor do their characters suffer any diminution by a comparison with those who vilify and traduce them.

Those, sir, that treat others with such licentious contempt, ought surely to give some illustrious proof of their own abilities; and yet if we examine what has been produced on this question, we shall find no reason to admire their sagacity or their knowledge.

We have been told, sir, that the fleet might properly be manned by a detachment from the army; but it has not been proved that we have any superfluous forces in the kingdom, nor, indeed, will our army be found sufficiently numerous, if, by neglecting to equip our fleet, we give our enemies an opportunity of entering our country.

If it be inquired what necessity there is for our present forces? What expeditions are designed? Or what dangers are feared? I shall not think it my duty to return any answer. It is, sir, the great unhappiness of our constitution, that our determinations cannot be kept secret, and that our enemies may always form conjectures of our designs, by knowing our preparations; but surely more is not to be published than necessity extorts, and the government has a right to conceal what it would injure the nation to discover.

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Nor can I, sir, approve the method of levying sailors by the incitement of an exorbitant reward, a reward to be augmented at the pleasure of those who are to receive it. For what can be the consequence of such prodigality, but that those to whom the largest sum is offered, will yet refuse their service in expectation of a greater. The reward already proposed is, in my opinion, the utmost stretch of liberality; and all beyond may be censured as profusion.

It is not to be imagined, sir, that all these objections were not made, and answered, in the reign of the late queen, when a bill of the same nature was proposed; they were answered, at least, by the necessity of those times, which necessity has now returned upon us.

We do not find that it produced any consequences so formidable and destructive, that they should for ever discourage us from attempting to raise forces by the same means; it was then readily enacted, and executed without opposition, and without complaints; nor do I believe that any measures can be proposed of equal efficacy, and less severity.

Mr. SANDYS replied, in substance as follows:—Sir, whether the precedents produced in defence of this bill, will have more weight than the arguments, must be shown by a careful examination, which will perhaps discover that the order sent to the magistrates of Bristol conveyed no new power, nor such as is, in any respect, parallel to that which this bill is intended to confer.

They were only enjoined to inquire with more than usual strictness, after strollers and vagabonds, such as the law has always subjected to punishment, and send them to the fleet, instead of any other place of correction; a method which may now be pursued without danger, opposition, or complaint.

But for my part, I am not able, upon the closest attention to the present scene of affairs, to find out the necessity of extraordinary methods of any kind. The fears of an invasion from France, are, in my opinion, sir, merely chimerical; from their fleet in America the coasts of Britain

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have nothing to fear, and after the numerous levies of seamen by which it was fitted out, it is not yet probable that they can speedily send out another. We know, sir, that the number of seamen depends upon the extent of commerce, and surely there is as yet no such disproportion between their trade and ours, as that they should be able to furnish out a naval armament with much greater expedition than ourselves.

In America our forces are at least equal to theirs, so that it is not very probable, that after the total destruction of our fleet by them, they should be so little injured, as to be able immediately to set sail for the channel, and insult us in our own ports; to effect this, sir, they must not only conquer us, but conquer us without resistance.

If they do not interrupt us in our attempts, nor expose themselves to an engagement, they may, indeed, return without suffering great damages, but I know not how they can leave the shores of America unobserved, or pour an unexpected invasion upon us. If they continue there, sir, they cannot hurt us, and when they return, we may prepare for their reception.

There are men, I know, sir, who have reason to think highly of the French policy, and whose ideas may be exalted to a belief that they can perform impossibilities; but I have not yet prevailed upon myself to conceive that they can act invisibly, or that they can equip a fleet by sorcery, collect an army in a moment, and defy us on our own coast, without any perceptible preparations.

Then admiral WAGER spoke thus:—The calamities produced by discord and contention, need not to be pointed out; but it may be proper to reflect upon the consequences of a house divided against itself, that we may endeavour to avoid them.

Unanimity is produced by nothing more powerfully than by impending danger, and, therefore, it may be useful to show those who seem at present in profound security, that the power of France is more formidable than they are willing to allow.

My age, sir, enables me to remember many transactions of the wars in the late reigns, to which many gentlemen

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are strangers, or of which they have only imperfect ideas from history and tradition.

In the second year of the reign of William, the French gained a victory over the united fleets of the maritime powers, which gave them, for the summer following, the dominion of the Channel, enabled them to shut up our merchants in their ports, and produced a total suspension of our commerce.

Those, sir, to whom the importance of trade is so well known, will easily apprehend the weight of this calamity, and will, I hope, reject no measures that have a manifest tendency to prevent it.

Our ships, sir, do not lie useless because there is any want of seamen in the nation, but because any service is preferred to that of the publick.

There are now, to my knowledge, in one town on the west coast, no fewer than twelve hundred sailors, of which surely a third part may be justly claimed by the publick interest; nor do I know why they who obstinately refuse to serve their country, should be treated with so much tenderness. It is more reasonable that they should suffer by their refusal, than that the general happiness should be endangered.

Mr. SOUTHWELL spoke next, to the following purpose:—Sir, when any authority shall be lodged in my hands, to be exercised for the publick benefit, I shall always endeavour to exert it with honesty and diligence; but will never be made the instrument of oppression, nor execute any commission of tyranny or injustice.

As, therefore, the power of searching is to be placed in the hands of justices of the peace, I think it necessary to declare, that I will never perform so hateful a part of the office, and that if this bill becomes a law, I will retire from the place to which my authority is limited, rather than contribute to the miseries of my fellow-subjects.

Mr. LITTLETON spoke as follows:—Sir, all the arguments which have been offered in support of this bill, are reduced at last to one constant assertion of the necessity of passing it.

We have been told, sir, with great acuteness, that a

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war cannot be carried on without men, and that ships are useless without sailors; and from thence it is inferred that the bill is necessary.

That forces are by some means necessary to be raised, the warmest opponents of the bill will not deny, but they cannot, therefore, allow the inference, that the methods now proposed are necessary.

They are of opinion, sir, that cruel and oppressive measures can never be justified, till all others have been tried without effect; they think that the law, when it was formerly passed, was unjust, and are convinced, by observing that it never was revived, and that it was by experience discovered to be useless.

Necessity, absolute necessity, is a formidable sound, and may terrify the weak and timorous into silence and compliance; but it will be found, upon reflection, to be often nothing but an idle feint, to amuse and to delude us, and that what is represented as necessary to the publick, is only something convenient to men in power.

Necessity, sir, has, heretofore, been produced as a plea for that which could be no otherwise defended. In the days of Charles the first, ship-money was declared to be legal, because it was necessary. Such was the reasoning of the lawyers, and the determination of the judges; but the senate, a senate of patriots! without fear, and without corruption, and influenced only by a sincere regard for the publick, were of a different opinion, and neither admitted the lawfulness nor necessity.

It will become us, on this occasion, to act with equal vigour, and convince our countrymen, that we proceed upon the same principles, and that the liberties of the people are our chief care.

I hope we shall unite in defeating any attempts that may impair the rights which every Briton boasts as his birthright, and reject a law which will be equally dreaded and detested with the inquisition of Spain.

Sir WILLIAM YONGE spoke next, to this effect:—Sir, though many particular clauses of this bill have been disapproved and opposed, some with more, and some with

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less reason, yet the committee has hitherto agreed that a bill for this purpose is necessary in the present state of our affairs; upon this principle we have proceeded thus far, several gentlemen have proposed their opinions, contributed their observations, and laboured as in an affair universally admitted to be of high importance to the general prosperity.

But now, sir, when some of the difficulties are surmounted, some expedients luckily struck out, some objections removed, and the great design brought nearer to execution, we are on a sudden informed, that all our labour is superfluous, that we are amusing ourselves with useless consultations, providing against calamities that can never happen, and raising bulwarks without an enemy; that, therefore, the question before us is of no importance, and the bill ought, without farther examination, to be totally rejected.

I suppose, sir, I shall be readily believed, when I declare that I shall willingly admit any arguments that may evince our safety; but, in proportion as real freedom from danger is to be desired, a supine and indolent neglect of it is to be dreaded and avoided; and I cannot but fear that our enemies are more formidable, and more malicious, than the gentlemen that oppose this bill have represented them.

This bill can only be opposed upon the supposition that it gives a sanction to severities, more rigorous than our present circumstances require; for nothing can be more fallacious or invidious than a comparison of this law with the demand of ship-money, a demand contrary to all law, and enforced by the manifest exertion of arbitrary power.

How has the conduct of his present majesty any resemblance with that of Charles the first? Is any money levied by order of the council? Are the determinations of the judges set in opposition to the decrees of the senate? Is any man injured in his property by an unlimited extension of the prerogative? or any tribunal established superiour to the laws of the nation?

To draw parallels, sir, where there is no resemblance;

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and to accuse, by insinuations, where there is no shadow of a crime; to raise outcries when no injury is attempted; and to deny a real necessity because it was once pretended for a bad purpose; is surely not to advance the publick service, which can be promoted only by just reasonings, and calm reflections, not by sophistry and satire, by insinuations without ground, and by instances beside the purpose.

Mr. LITTLETON answered:—Sir, true zeal for the service of the publick is never discovered by collusive subterfuges and malicious representations; a mind, attentive to the common good, would hardly, on an occasion like this, have been at leisure to pervert an harmless illustration, and extract disaffection from a casual remark.

It is, indeed, not impossible, sir, that I might express myself obscurely; and it may be, therefore, necessary to declare that I intended no disrespectful reflection on the conduct of his majesty; but must observe, at the same time, that obscure or inaccurate expressions ought always to be interpreted in the most inoffensive meaning, and that to be too sagacious in discovering concealed insinuations, is no great proof of superiour integrity.

Wisdom, sir, is seldom captious, and honesty seldom suspicious; a man capable of comprehending the whole extent of a question, disdains to divert his attention by trifling observations; and he that is above the practice of little arts, or the motions of petty malice, does not easily imagine them incident to another.

That in the question of ship-money necessity was pretended, cannot be denied; and, therefore, all that I asserted, which was only that the nation had been once terrified without reason, by the formidable sound of necessity, is evident and uncontested.

When a fraud has once been practised, it is of use to remember it, that we may not twice be deceived by the same artifice; and, therefore, I mentioned the plea of necessity, that it may be inquired whether it is now more true than before.

That the senate, sir, and not the judges, is now applied

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to, is no proof of the validity of the arguments which have been produced; for in the days of ship-money, the consent of the senate had been asked, had there been any prospect of obtaining it; but the court had been convinced, by frequent experiments, of the inflexibility of the senate, and despaired of influencing them by prospects of advantage, or intimidating them by frowns or menaces.

May this and every future senate imitate their conduct, and, like them, distinguish between real and pretended necessity; and let not us be terrified, by idle clamours, into the establishment of a law at once useless and oppressive.

Sir WILLIAM YONGE replied:—Sir, that I did not intend to misrepresent the meaning of the honourable gentleman, I hope it is not necessary to declare; and that I have, in reality, been guilty of any misrepresentation, I am not yet convinced. If he did not intend a parallel between ship-money and the present bill, to what purpose was his observation? and if he did intend it, was it not proper to show there was no resemblance, and that all which could be inferred from it was, therefore, fallacious and inconclusive?

Nor do I only differ, sir, in opinion with the honourable gentleman with relation to his comparison of measures, which have nothing in common with each other; but will venture to declare, that he is not more accurate in his citations from history. The king did not apply to the judges, because the senate would not have granted him the money that he demanded, but because his chief ambition was to govern the nation by the prerogative alone, and to free himself and his descendants from senatorial inquiries.

That this account, sir, is just, I am confident the histories of those times will discover; and, therefore, any invidious comparison between that senate and any other, is without foundation in reason or in truth.

Mr. BATHURST spoke as follows:—Sir, that this law will easily admit, in the execution of it, such abuses as will overbalance the benefits, may readily be proved; and

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it will not be consistent with that regard to the publick, expected from us by those whom we represent, to enact a law which may probably become an instrument of oppression.

The servant by whom I am now attended, may be termed, according to the determination of the vindicators of this bill, a seafaring man, having been once in the West Indies; and he may, therefore, be forced from my service, and dragged into a ship, by the authority of a justice of the peace, perhaps of some abandoned prostitute, dignified with a commission only to influence elections, and awe those whom excises and riot-acts cannot subdue.

I think it, sir, not improper to declare, that I would by force oppose the execution of a law like this; that I would bar my doors and defend them; that I would call my neighbours to my assistance; and treat those who should attempt to enter without my consent, as thieves, ruffians, and murderers.

Lord GAGE spoke to this effect:—Sir, it is well known that by the laws of this nation, poverty is, in some degree, considered as a crime, and that the debtor has only this advantage over the felon, that he cannot be pursued into his dwelling, nor be forced from the shelter of his own house.

I think it is universally agreed, that the condition of a man in debt is already sufficiently miserable, and that it would be more worthy of the legislative power to contrive alleviations of his hardships, than additions to them; and it seems, therefore, no inconsiderable objection to this bill, that, by conferring the power of entering houses by force, it may give the harpies of the law an opportunity of entering, in the tumult of an impress, and of dragging a debtor to a noisome prison, under pretence of forcing sailors into the service of the crown.

Mr. TRACEY then said:—Sir, that some law for the ends proposed by the bill before us, is necessary, I do not see how we can doubt, after the declarations of the admirals, who are fully acquainted with the service for which provision is to be made; and of the ministry, whose know-

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ledge of the present state of our own strength, and the designs of our enemies, is, doubtless, more exact than they can acquire who are not engaged in publick employments.

If, therefore, the measures now proposed are necessary, though they may not be agreeable to the present dispositions of the people, for whose preservation they are intended, I shall think it my duty to concur in them, that the publick service may not be retarded, nor the safety of a whole nation hazarded, by a scrupulous attention to minute objections.

Mr. CAMPBELL spoke as follows:—Sir, I have often, amidst my elogies on British liberty, and my declarations of the excellence of our constitution, the impartiality of our government, and the efficacy of our laws, been reproached by foreigners with the practice of impresses, as a hardship which would raise a rebellion in absolute monarchies, and kindle those nations into madness, that have, for many ages, known no other law than the will of their princes. A hardship which includes imprisonment and slavery, and to which, therefore, no aggravations ought to be added.

But if justice and reason, sir, are to be overborne by necessity; if necessity is to stop our ears against the complaints of the oppressed, and harden our hearts at the sight of their misery, let it, at least, not destroy our memories, nor deprive us of the advantages of experience.

Let us inquire, sir, what were the effects of this hateful authority when it was formerly consigned to the magistrates. Were our fleets manned in an instant? were our harbours immediately crowded with sailors? did we surprise our enemies by our expedition, and make conquests before an invasion could be suspected? I have heard, sir, of no such consequences, nor of any advantages which deserved to be purchased by tyranny and oppression. We have found that very few were procured by the magistrates, and the charge of seizing and conveying was very considerable; and, therefore, cannot but conclude that illegal measures, which have been once tried without success, should, for a double reason, never be revived.

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Sir JOHN BARNARD spoke to this effect:—Sir, it is not without regret that I rise so often on this occasion: for to dispute with those whose determinations are not influenced by reason, is a ridiculous task, a tiresome labour, without prospect of reward.

But, as an honourable gentleman has lately remarked, that by denying the necessity of the bill, instead of making objections to particular clauses, the whole design of finding expedients to supply the sea service is at once defeated; I think it necessary to remind him, that I have made many objections to this bill, and supported them by reasons which have not yet been answered. But I shall now no longer confine my remarks to single errours, but observe that there is one general defect, by which the whole bill is made absurd and useless.

For the foundation of a law like this, sir, the description of a seaman ought to be accurately laid down, it ought to be declared what acts shall subject him to that denomination, and by what means, after having once enlisted himself in this unhappy class of men, he may withdraw into a more secure and happy state of life.

Is a man, who has once only lost sight of the shore, to be for ever hunted as a seaman? Is a man, who, by traffick, has enriched a family, to be forced from his possessions by the authority of an impress? Is a man, who has purchased an estate, and built a seat, to solicit the admiralty for a protection from the neighbouring constable? Such questions as these, sir, may be asked, which the bill before us will enable no man to answer.

If a bill for this purpose be truly necessary, let it, at least, be freed from such offensive absurdities; let it be drawn up in a form as different as is possible from that of the bill before us; and, at last, I am far from imagining that a law will be contrived not injurious to individuals, nor detrimental to the publick; not contrary to the first principles of our establishment, and not loaded with folly and absurdities.

Mr. VYNER then spoke:—Sir, a definition of a seaman is so necessary in a bill for this purpose, that the omission

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of it will defeat all the methods that can be suggested. How shall a law be executed, or a penalty inflicted, when the magistrate has no certain marks whereby he may distinguish a criminal? and when even the man that is prosecuted may not be conscious of guilt, or know that the law extended to him, which he is charged with having offended.

If, in defining a seaman on the present occasion, it be thought proper to have any regard to the example of our predecessors, whose wisdom has, in this debate, been so much magnified; it may be observed, that a seaman has been formerly defined, *a man who haunts the seas;* a definition which seems to imply habit and continuance, and not to comprehend a man who has, perhaps, never gone more than a single voyage.

But though this definition, sir, should be added to the amendments already proposed, and the bill thereby be brought somewhat nearer to the constitutional principles of our government; I cannot yet think it so much rectified, as that the hardships will not outweigh the benefits, and, therefore, shall continue to oppose the bill, though to some particular clauses I have no objection.

[The term *seafaring man* was left out, and the several amendments were admitted in the committee, but the clauses themselves, to the number of eleven, were given up on the report.]

HOUSE OF COMMONS, MARCH 10, 1740-1.

The commons resolved their house into a committee, to consider the bill for the encouragement of sailors, when admiral Wager offered a clause, by which it was to be enacted, "That no merchants, or bodies corporate or politick, shall hire sailors at higher wages than thirty-five shillings for the month, on pain of forfeiting the treble value of the sum so agreed for;" which law was to commence after fifteen days, and continue for a time to be agreed on by the house: and then spoke to the following purpose:—

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Sir, the necessity of this clause must be so apparent to every gentleman acquainted with naval and commercial affairs, that as no opposition can be apprehended, very few arguments will be requisite to introduce it.

How much the publick calamities of war are improved by the sailors to their own private advantage; how generally they shun the publick service, in hopes of receiving exorbitant wages from the merchants; and how much they extort from the merchants, by threatening to leave their service for that of the crown, is universally known to every officer of the navy, and every commander of a trading vessel.

A law, therefore, sir, to restrain them in time of war from such exorbitant demands; to deprive them of those prospects which have often no other effect than to lull them in idleness, while they skulk about in expectation of higher wages; and to hinder them from deceiving themselves, embarrassing the merchants, and neglecting the general interest of their country, is undoubtedly just. It is just, sir, because in regard to the publick it is necessary to prevent the greatest calamity that can fall upon a people, to preserve us from receiving laws from the most implacable of our enemies; and it is just, because with respect to particular men it has no tendency but to suppress idleness, fraud, and extortion.

Mr. HENRY FOX spoke next:—Sir, I have no objection to any part of this clause, except the day proposed for the commencement: to make a law against any pernicious practice, to which there are strong temptations, and to give those whose interest may incite them to it, time to effect their schemes, before the law shall begin to operate, seems not very consistent with wisdom or vigilance.

It is not denied, sir, that the merchants are betrayed by that regard to private interest which prevails too frequently over nobler views, to bribe away from the service of the crown, by large rewards, those sailors whose assistance is now so necessary to the publick; and, therefore, it is not to be imagined that they will not employ their utmost diligence to improve the interval which the bill allows in making contracts for the ensuing year, and that the

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sailors will not eagerly engage themselves before this law shall preclude their prospects of advantage.

As, therefore, to make no law, and to make a law that will not be observed, is in consequence the same; and the time allowed by the clause, as it now stands, may make the whole provision ineffectual; it is my opinion, that either it ought to begin to operate to-morrow, or that we ought to leave the whole affair in its present state.

Then sir ROBERT WALPOLE spoke as follows:—Sir, nothing has a greater appearance of injustice, than to punish men by virtue of laws, with which they were not acquainted; the law, therefore, is always supposed to be known by those who have offended it, because it is the duty of every man to know it; and certainly it ought to be the care of the legislature, that those whom a law will affect, may have a possibility of knowing it, and that those may not be punished for failing in their duty, whom nothing but inevitable ignorance has betrayed into offence.

But if the operation of this law should commence to-morrow, what numbers may break it, and suffer by the breach of it involuntarily, and without design; and how shall we vindicate ourselves from having been accessory to the crime which we censure and punish?

Mr. FOX replied:—Sir, I shall not urge in defence of my motion what is generally known, and has been frequently inculcated in all debates upon this bill, that private considerations ought always to give way to the necessities of the publick; for I think it sufficient to observe, that there is a distinction to be made between punishments and restraints, and that we never can be too early in the prevention of pernicious practices, though we may sometimes delay to punish them.

The law will be known to-morrow, to far the greatest number of those who may be tempted to defeat it; and if there be others that break it ignorantly, how will they find themselves injured by being only obliged to pay less than they promised, which is all that I should propose without longer warning. The debate upon this particular, will be at length reduced to a question, whether a law for this

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purpose is just and expedient? If a law be necessary, it is necessary that it should be executed; and it can be executed only by commencing to-morrow.

Lord BALTIMORE spoke thus:—Sir, it appears to me of no great importance how soon the operation of the law commences, or how long it is delayed, because I see no reason for imagining that it will at any time produce the effects proposed by it.

It has been the amusement, sir, of a great part of my life, to converse with men whose inclinations or employments have made them well acquainted with maritime affairs, and amidst innumerable other schemes for the promotion of trade, have heard some for the regulation of wages in trading ships; schemes, at the first appearance plausible and likely to succeed, but, upon a nearer inquiry, evidently entangled with insuperable difficulties, and never to be executed without danger of injuring the commerce of the nation.

The clause, sir, now before us contains, in my opinion, one of those visionary provisions, which, however infallible they may appear, will be easily defeated, and will have no other effect than to promote cunning and fraud, and to teach men those acts of collusion, with which they would otherwise never have been acquainted.

Mr. LODWICK spoke to this effect:—Sir, I agree with the honourable gentleman by whom this clause has been offered, that the end for which it is proposed, is worthy of the closest attention of the legislative power, and that the evils of which the prevention is now endeavoured, may in some measure not only obstruct our traffick, but endanger our country; and shall therefore very readily concur in any measures for this purpose, that shall not appear either unjust or ineffectual.

Whether this clause will be sufficient to restrain all elusive contracts, and whether all the little artifices of interest are sufficiently obviated, I am yet unable to determine; but by a reflection upon the multiplicity of relations to be considered, and the variety of circumstances to be adjusted in a provision of this kind, I am inclined to think

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that it is not the business of a transient inquiry, or of a single clause, but that it will demand a separate law, and engage the deliberation and regard of this whole assembly.

Sir JOHN BARNARD said:—Sir, notwithstanding the impatience and resentment with which some men see their mistakes and ignorance detected; notwithstanding the reverence which negligence and haste are said to be entitled to from this assembly, I shall declare once more, without the apprehension of being confuted, that this bill was drawn up without consideration, and is defended without being understood; that after all the amendments which have been admitted, and all the additions proposed, it will be oppressive and ineffectual, a chaos of absurdities, and a monument of ignorance.

Sir ROBERT WALPOLE replied:—Sir, the present business of this assembly is to examine the clause before us; but to deviate from so necessary an inquiry into loud exclamations against the whole bill, is to obstruct the course of the debate, to perplex our attention, and interrupt the senate in its deliberation upon questions, in the determination of which the security of the publick is nearly concerned.

The war, sir, in which we are now engaged, and, I may add, engaged by the general request of the whole nation, can be prosecuted only by the assistance of the seamen, from whom it is not to be expected that they will sacrifice their immediate advantage to the security of their country. Publick spirit, where it is to be found, is the result of reflection, refined by study and exalted by education, and is not to be hoped for among those whom low fortune has condemned to perpetual drudgery. It must be, therefore, necessary to supply the defects of education, and to produce, by salutary coercions, those effects which it is vain to expect from other causes.

That the service of the sailors will be set up to sale by auction, and that the merchants will bid against the government, is incontestable; nor is there any doubt that they will be able to offer the highest price, because they will take care to repay themselves by raising the value of their

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goods. Thus, without some restraint upon the merchants, our enemies, who are not debarred by their form of government from any method which policy can invent, or absolute power put in execution, will preclude all our designs, and set at defiance a nation superiour to themselves.

Sir JOHN BARNARD then said:—Sir, I think myself obliged by my duty to my country, and by my gratitude to those by whose industry we are enriched, and by whose courage we are defended, to make, once more, a declaration, not against particular clauses, not against single circumstances, but against the whole bill; a bill unjust and oppressive, absurd and ridiculous; a bill to harass the industrious and distress the honest, to puzzle the wise and add power to the cruel; a bill which cannot be read without astonishment, nor passed without the violation of our constitution, and an equal disregard of policy and humanity.

All these assertions will need to be proved only by a bare perusal of this hateful bill, by which the meanest, the most worthless reptile, exalted to a petty office by serving a wretch only superiour to him in fortune, is enabled to flush his authority by tyrannising over those who every hour deserve the publick acknowledgments of the community; to intrude upon the retreats of brave men, fatigued and exhausted by honest industry, to drag them out with all the wantonness of grovelling authority, and chain them to the oar without a moment's respite, or perhaps oblige them to purchase, with the gains of a dangerous voyage, or the plunder of an enemy lately conquered, a short interval to settle their affairs, or bid their children farewell.

Let any gentleman in this house, let those, sir, who now sit at ease, projecting laws of oppression, and conferring upon their own slaves such licentious authority, pause a few moments, and imagine themselves exposed to the same hardships by a power superiour to their own; let them conceive themselves torn from the tenderness and caresses of their families by midnight irruptions, dragged in triumph through the streets by a despicable officer, and placed under the command of those by whom they have,

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perhaps, been already oppressed and insulted. Why should we imagine that the race of men for whom those cruelties are preparing, have less sensibility than ourselves? Why should we believe that they will suffer without complaint, and be injured without resentment? Why should we conceive that they will not at once deliver themselves, and punish their oppressors, by deserting that country where they are considered as felons, and laying hold on those rewards and privileges which no other government will deny them?

This is, indeed, the only tendency, whatever may have been the intention of the bill before us; for I know not whether the most refined sagacity can discover any other method of discouraging navigation than those which are drawn together in the bill before us. We first give our constables an authority to hunt the sailors like thieves, and drive them, by incessant pursuit, out of the nation; but lest any man should by friendship, good fortune, or the power of money, find means of staying behind, we have with equal wisdom condemned him to poverty and misery; and lest the natural courage of his profession should incite him to assist his country in the war, have contrived a method of precluding him from any advantage that he might have the weakness to hope from his fortitude and diligence. What more can be done, unless we at once prohibit to seamen the use of the common elements, or doom them to a general proscription.

It is just that advantage, sir, should be proportioned to the hazard by which it is to be obtained, and, therefore, a sailor has an honest claim to an advance of wages in time of war; it is necessary to excite expectation, and to fire ambition by the prospect of great acquisitions, and by this prospect it is that such numbers are daily allured to naval business, and that our privateers are filled with adventurers. The large wages which war makes necessary, are more powerful incentives to those whom impatience of poverty determines to change their state of life, than the secure gains of peaceful commerce; for the danger is overlooked by a mind intent upon the profit.

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War is the harvest of a sailor, in which he is to store provisions for the winter of old age, and if we blast this hope, he will inevitably sink into indolence and cowardice.

Many of the sailors are bred up to trades, or capable of any laborious employment upon land; nor is there any reason for which they expose themselves to the dangers of a seafaring life, but the hope of sudden wealth, and some lucky season in which they may improve their fortunes by a single effort. Is it reasonable to believe that all these will not rather have recourse to their former callings, and live in security, though not in plenty, than encounter danger and poverty at once, and face an enemy without any prospect of recompense?

Let any man recollect the ideas that arose in his mind upon hearing of a bill for encouraging and increasing sailors, and examine whether he had any expectation of expedients like these. I suppose it was never known before, that men were to be encouraged by subjecting them to peculiar penalties, or that to take away the gains of a profession, was a method of recommending it more generally to the people.

But it is not of very great importance to dwell longer upon the impropriety of this clause, which there is no possibility of putting in execution. That the merchants will try every method of eluding a law so prejudicial to their interest, may be easily imagined, and a mind not very fruitful of evasions, will discover that this law may be eluded by a thousand artifices. If the merchants are restrained from allowing men their wages beyond a certain sum, they will make contracts for the voyage, of which the time may very easily be computed, they may offer a reward for expedition and fidelity, they may pay a large sum by way of advance, they may allow the sailors part of the profits, or may offer money by a third hand. To fix the price of any commodity, of which the quantity and the use may vary their proportions, is the most excessive degree of ignorance. No man can determine the price of corn, unless he can regulate the harvest, and keep the number of the people for ever at a stand.

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But let us suppose these methods as efficacious as their most sanguine vindicators are desirous of representing them, it does not yet appear that they are necessary, and to inflict hardships without necessity, is by no means the practice of either wisdom or benevolence. To tyrannise and compel is the low pleasure of petty capacities, of narrow minds, swelled with the pride of uncontroulable authority, the wantonness of wretches who are insensible of the consequences of their own actions, and of whom candour may, perhaps, determine, that they are only cruel because they are stupid. Let us not exalt into a precedent the most unjust and rigorous law of our predecessors, of which they themselves declared their repentance, or confessed the inefficacy, by never reviving it; let us rather endeavour to gain the sailors by lenity and moderation, and reconcile them to the service of the crown by real encouragements; for it is rational to imagine, that in proportion as men are disgusted by injuries, they will be won by kindness.

There is one expedient, sir, which deserves to be tried, and from which, at least, more success may be hoped than from cruelty, hunger, and persecution. The ships that are now to be fitted out for service, are those of the first magnitude, which it is usual to bring back into the ports in winter. Let us, therefore, promise to all seamen that shall voluntarily engage in them, besides the reward already proposed, a discharge from the service at the end of six or seven months. By this they will be released from their present dread of perpetual slavery, and be certain, as they are when in the service of the merchants, of a respite from their fatigues. The trade of the nation will be only interrupted for a time, and may be carried on in the winter months, and large sums will be saved by dismissing the seamen when they cannot be employed.

By adding this to the other methods of encouragement, and throwing aside all rigorous and oppressive schemes, the navy may easily be manned, our country protected, our commerce reestablished, and our enemies subdued; but to pass the bill as it now stands, is to determine that

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trade shall cease, and that no ship shall sail out of the river.

Mr. PITT spoke to the following purport:—Sir, it is common for those to have the greatest regard to their own interest who discover the least for that of others. I do not, therefore, despair of recalling the advocates of this bill from the prosecution of their favourite measures, by arguments of greater efficacy than those which are founded on reason and justice.

Nothing, sir, is more evident, than that some degree of reputation is absolutely necessary to men who have any concern in the administration of a government like ours; they must either secure the fidelity of their adherents by the assistance of wisdom, or of virtue; their enemies must either be awed by their honesty, of terrified by their cunning. Mere artless bribery will never gain a sufficient majority to set them entirely free from apprehensions of censure. To different tempers different motives must be applied: some, who place their felicity in being accounted wise, are in very little care to preserve the character of honesty; others may be persuaded to join in measures which they easily discover to be weak and ill-concerted, because they are convinced that the authors of them are not corrupt but mistaken, and are unwilling that any man should be punished for natural defects or casual ignorance.

I cannot say, sir, which of these motives influences the advocates for the bill before us; a bill in which such cruelties are proposed as are yet unknown among the most savage nations, such as slavery has not yet borne, or tyranny invented, such as cannot be heard without resentment, nor thought of without horrour.

It is, sir, perhaps, not unfortunate, that one more expedient has been added, rather ridiculous than shocking, and that these tyrants of the administration, who amuse themselves with oppressing their fellow-subjects, who add without reluctance one hardship to another, invade the liberty of those whom they have already overborne with taxes, first plunder and then imprison, who take all opportunities of heightening the publick distresses, and make the miseries

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of war the instruments of new oppressions, are too ignorant to be formidable, and owe their power not to their abilities, but to casual prosperity, or to the influence of money.

The other clauses of this bill, complicated at once with cruelty and folly, have been treated with becoming indignation; but this may be considered with less ardour of resentment, and fewer emotions of zeal, because, though, perhaps, equally iniquitous, it will do no harm; for a law that can never be executed can never be felt.

That it will consume the manufacture of paper, and swell the books of statutes, is all the good or hurt that can be hoped or feared from a law like this; a law which fixes what is in its own nature mutable, which prescribes rules to the seasons and limits to the wind. I am too well acquainted, sir, with the disposition of its two chief supporters, to mention the contempt with which this law will be treated by posterity, for they have already shown abundantly their disregard of succeeding generations; but I will remind them, that they are now venturing their whole interest at once, and hope they will recollect, before it is too late, that those who believe them to intend the happiness of their country, will never be confirmed in their opinion by open cruelty and notorious oppression; and that those who have only their own interest in view, will be afraid of adhering to those leaders, however old and practised in expedients, however strengthened by corruption, or elated with power, who have no reason to hope for success from either their virtue or abilities.

Mr. BATHURST next spoke to this effect:—Sir, the clause now under our consideration is so inconsiderately drawn up, that it is impossible to read it in the most cursory manner, without discovering the necessity of numerous amendments; no malicious subtilties or artful deductions are required in raising objections to this part of the bill, they crowd upon us without being sought, and, instead of exercising our sagacity, weary our attention.

The first errour, or rather one part of a general and complicated errour, is the computation of time, not by days, but by calendar months, which, as they are not equal one

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to another, may embarrass the account between the sailors and those that employ them. In all contracts of a short duration, the time is to be reckoned by weeks and days, by certain and regular periods, which has been so constantly the practice of the seafaring men, that, perhaps, many of them do not know the meaning of a calendar month: this, indeed, is a neglect of no great importance, because no man can be deprived by it of more than the wages due for the labour of a few days; but the other part of this clause is more seriously to be considered, as it threatens the sailors with greater injuries: for it is to be enacted, that all contracts made for more wages than are here allowed shall be totally void.

It cannot be denied to be possible, and in my opinion it is very likely, that many contracts will be made without the knowledge of this law, and consequently without any design of violating it; but ignorance, inevitable ignorance, though it is a valid excuse for every other man, is no plea for the unhappy sailor; he must suffer, though innocent, the penalty of a crime; must undergo danger, hardships, and labour, without a recompense, and at the end of a successful voyage, after having enriched his country by his industry, return home to a necessitous family, without being able to relieve them.

It is scarcely necessary, sir, to raise any more objections to a clause in which nothing is right; but, to show how its imperfections multiply upon the slightest consideration, I take the opportunity to observe, that there is no provision made for regulating the voyages performed in less time than a month, so that the greatest part of the abuses, which have been represented as the occasion of this clause, are yet without remedy, and only those sailors who venture far, and are exposed to the greatest dangers, are restrained from receiving an adequate reward.

Thus much, sir, I have said upon the supposition that a regulation of the sailors' wages is either necessary or just; a supposition of which I am very far from discovering the truth. That it is just to oppress the most useful of our fellow-subjects, to load those men with peculiar hardships to

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whom we owe the plenty that we enjoy, the power that yet remains in the nation, and which neither the folly nor the cowardice of ministers have yet been able to destroy, and the security in which we now sit and hold our consultations; that it is just to lessen our payments at a time when we increase the labour of those who are hired, and to expose men to danger without recompense, will not easily be proved, even by those who are most accustomed to paradoxes, and are ready to undertake the proof of any position which it is their interest to find true.

Nor is it much more easy to show the necessity of this expedient in our present state, in which it appears from the title of the bill, that our chief endeavour should be the increase and encouragement of sailors, and, I suppose, it has not often been discovered, that by taking away the profits of a profession greater numbers have been allured to it.

The high wages, sir, paid by merchants are the chief incitements that prevail upon the ambitious, the necessitous, or the avaricious, to forsake the ease and security of the land, to leave easy trades, and healthful employments, and expose themselves to an element where they are not certain of an hour's safety. The service of the merchants is the nursery in which seamen are trained up for his majesty's navies, and from thence we must, in time of danger, expect those forces by which alone we can be protected.

If, therefore, it is necessary to encourage sailors, it is necessary to reject all measures that may terrify or disgust them; and as their numbers must depend upon our trade, let us not embarrass the merchants with any other difficulties than those which are inseparable from war, and which very little care has been hitherto taken to alleviate.

Mr. HAY replied:—Sir, the objections which have been urged with so much ardour, and displayed with such power of eloquence, are not, in my opinion, formidable enough to discourage us from prosecuting our measures; some of them may be, perhaps, readily answered, and the rest easily removed.

The computation of time, as it now stands, is allowed

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not to produce any formidable evil, and therefore did not require so rhetorical a censure: the inconveniency of calendar months may easily be removed by a little candour in the contracting parties, or, that the objection may not be repeated to the interruption of the debate, weeks or days may be substituted, and the usual reckoning of the sailors be still continued.

That some contracts may be annulled, and inconveniencies or delays of payment arise, is too evident to be questioned; but in that case the sailor may have his remedy provided, and be enabled to obtain, by an easy process, what he shall be judged to *have deserved*; for it must be allowed reasonable, that every man who labours in honest and useful employments, should receive the reward of his diligence and fidelity.

Thus, sir, may the clause, however loudly censured and violently opposed, be made useful and equitable, and the publick service advanced without injury to individuals.

Sir ROBERT WALPOLE next rose, and spoke as follows:—Sir, every law which extends its influence to great numbers in various relations and circumstances, must produce some consequences that were never foreseen or intended, and is to be censured or applauded as the general advantages or inconveniencies are found to preponderate. Of this kind is the law before us, a law enforced by the necessity of our affairs, and drawn up with no other intention than to secure the publick happiness, and produce that success which every man's interest must prompt him to desire.

If in the execution of this law, sir, some inconveniencies should arise, they are to be remedied as fast as they are discovered, or if not capable of a remedy, to be patiently borne, in consideration of the general advantage.

That some temporary disturbances may be produced is not improbable; the discontent of the sailors may, for a short time, rise high, and our trade be suspended by their obstinacy; but obstinacy, however determined, must yield to hunger, and when no higher wages can be obtained, they will cheerfully accept of those which are here allowed

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them. Short voyages, indeed, are not comprehended in the clause, and therefore the sailors will engage in them upon their own terms, but this objection can be of no weight with those that oppose the clause, because, if it is unjust to limit the wages of the sailors, it is just to leave those voyages without restriction; and those that think the expedient here proposed equitable and rational, may, perhaps, be willing to make some concessions to those who are of a different opinion.

That the bill will not remove every obstacle to success, nor add weight to one part of the balance without making the other lighter; that it will not supply the navy without incommoding the merchants in some degree; that it may be sometimes evaded by cunning, and sometimes abused by malice; and that at last it will be less efficacious than is desired, may, perhaps, be proved; but it has not yet been proved that any other measures are more eligible, or that we are not to promote the publick service as far as we are able, though our endeavours may not produce effects equal to our wishes.

Sir JOHN BARNARD then spoke, to this effect:—Sir, I know not by what fatality it is that nothing can be urged in defence of the clause before us which does not tend to discover its weakness and inefficacy. The warmest patrons of this expedient are impelled, by the mere force of conviction, to such concessions as invalidate all their arguments, and leave their opponents no necessity of replying.

If short voyages are not comprehended in this provision, what are we now controverting? What but the expedience of a law that will never be executed? The sailors, however they are contemned by those who think them only worthy to be treated like beasts of burden, are not yet so stupid but that they can easily find out, that to serve a fortnight for greater wages is more eligible than to toil a month for less; and as the numerous equipments that have been lately made have not left many more sailors in the service of the merchants than may be employed in the coasting trade, those who traffick to remoter parts, must

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shut up their books and wait till the expiration of this act, for an opportunity of renewing their commerce.

To regulate the wages for one voyage, and to leave another without limitation, in time of scarcity of seamen, is absolutely to prohibit that trade which is so restrained, and is, doubtless, a more effectual embargo than has been yet invented.

Let any man but suppose that the East India company were obliged to give only half the wages that other traders allow, and consider how that part of our commerce could be carried on; would not their goods rot in their warehouses, and their ships lie for ever in the harbour? Would not the sailors refuse to contract with them? or desert them after a contract, upon the first prospect of more advantageous employment?

But it is not requisite to multiply arguments in a question which may not only be decided without long examination, but in which we may determine our conclusions by the experience of our ancestors. Scarcely any right or wrong measures are without a precedent, and, amongst others, this expedient has been tried by the wisdom of former times; a law was once made for limiting the wages of tailors, and that it is totally ineffectual we are all convinced. Experience is a very safe guide in political inquiries, and often discovers what the most enlightened reason failed to foresee.

Let us, therefore, improve the errours of our ancestors to our own advantage, and whilst we neglect to imitate their virtues, let us, at least, forbear to repeat their follies.

Mr. PERRY spoke to this purpose:—Sir, there is one objection more which my acquaintance with foreign trade impresses too strongly upon my mind to suffer me to conceal it.

It is well known that the condition of a seaman subjects him to the necessity of spending a great part of his life at a distance from his native country, in places where he can neither hear of our designs, nor be instructed in our laws, and, therefore, it is evident that no law ought to affect him before a certain period of time, in which he may

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reasonably be supposed to have been informed of it. For every man ought to have it in his power to avoid punishment, and to suffer only for negligence or obstinacy.

It is quite unnecessary, sir, to observe to this assembly, that there are now, as at all times, great numbers of sailors in every part of the world, and that they, at least, equally deserve our regard with those who are under the more immediate influence of the government.

These seamen have already contracted for the price of their labour, and the recompense of their hazards, nor can we, in my opinion, without manifest injustice, dissolve a contract founded upon equity, and confirmed by law.

It is, sir, an undisputed principle of government, that no person should be punished without a crime; but is it no punishment to deprive a man of what is due to him by a legal stipulation, the condition of which is, on his part, honestly fulfilled?

Nothing, sir, can be imagined more calamitous than the disappointment to which this law subjects the unhappy men who are now promoting the interest of their country in distant places, amidst dangers and hardships, in unhealthy climates, and barbarous nations, where they comfort themselves, under the fatigues of labour and the miseries of sickness, with the prospect of the sum which they shall gain for the relief of their families, and the respite which their wages will enable them to enjoy; but, upon their return, they find their hopes blasted, and their contracts dissolved by a law made in their absence.

No human being, I think, can coolly and deliberately inflict a hardship like this, and, therefore, I doubt not but those who have, by inadvertency, given room for this objection, will either remove it by an amendment, or what is, in my opinion, more eligible, reject the clause as inexpedient, useless, and unjust.

Sir WILLIAM YONGE spoke next to this effect:—Sir, this debate has been protracted, not by any difficulties arising from the nature of the questions which have been the subject of it, but by a neglect with which almost all the opponents of the bill may be justly charged, the neg-

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lect of distinguishing between measures eligible in themselves, and measures preferable to consequences which are apprehended from particular conjunctures; between laws made only to advance the publick happiness, and expedients of which the benefit is merely occasional, and of which the sole intention is to avert some national calamity, and which are to cease with the necessity that produced them.

Such are the measures, sir, which are now intended; measures, which, in days of ease, security, and prosperity, it would be the highest degree of weakness to propose, but of which I cannot see the absurdity in times of danger and distress. Such laws are the medicines of a state, useless and nauseous in health, but preferable to a lingering disease, or to a miserable death.

Even those measures, sir, which have been mentioned as most grossly absurd, and represented as parallel to the provision made in this clause only to expose it to contempt and ridicule, may, in particular circumstances, be rational and just. To settle the price of corn in the time of a famine, may become the wisest state, and multitudes might, in time of publick misery, by the benefit of temporary laws, be preserved from destruction. Even those masts, to which, with a prosperous gale, the ship owes its usefulness and its speed, are often cut down by the sailors in the fury of a storm.

With regard to the ships which are now in distant places, whither no knowledge of this law can possibly be conveyed, it cannot be denied that their crews ought to be secured from injury by some particular exception; for though it is evident in competitions between publick and private interest, which ought to be preferred, yet we ought to remember that no unnecessary injury is to be done to individuals, even while we are providing for the safety of the nation.

Mr. FAZAKERLY spoke to this effect:—Sir, though I cannot be supposed to have much acquaintance with naval affairs, and, therefore, may not, perhaps, discover the full force of the arguments that have been urged in favour of the clause now under consideration, yet I cannot but think myself under an indispensable obligation to examine it as

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far as I am able, and to make use of the knowledge which I have acquired, however inferiour to that of others.

The argument, sir, the only real argument, which has been produced in favour of the restraint of wages now proposed, appears to me by no means conclusive; nor can I believe that the meanest and most ignorant seaman would, if it were proposed to him, hesitate a moment for an answer to it. Let me suppose, sir, a merchant urging it as a charge against a seaman, that he raises his demand of wages in time of war, would not the sailor readily reply, that harder labour required larger pay? Would he not ask, why the general practice of mankind is charged as a crime upon him only? Inquire, says he, of the workmen in the docks, have they not double wages for double labour? and is not their lot safe and easy in comparison with mine, who at once encounter danger and support fatigue, carry on war and commerce at the same time, conduct the ship and oppose the enemy, and am equally exposed to captivity and shipwreck?

That this is, in reality, the state of a sailor in time of war, I think, sir, too evident to require proof; nor do I see what reply can be made to the sailor's artless expostulation.

I know not why the sailors alone should serve their country to their disadvantage, and be expected to encounter danger without the incitement of a reward.

Nor will any part of the hardships of this clause be alleviated by the expedient suggested by an honourable member, who spoke, some time ago, of granting, or allowing, to a sailor, whose contract shall be void, what our courts of law should adjudge him to deserve, a *quantum meruit:* for, according to the general interpretation of our statutes, it will be determined that he has forfeited his whole claim by illegal contract. To instance, sir, the statute of usury. He that stipulates for higher interest than is allowed, is not able to recover his legal demand, but irrecoverably forfeits the whole.

Thus, sir, an unhappy sailor who shall innocently transgress this law, must lose all the profit of his voyage, and have nothing to relieve him after his fatigues; but when he has by his courage repelled the enemy, and, by his

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skill, escaped storms and rocks, must suffer yet severer hardships, in being subject to a forfeiture where he expected applause, comfort, and recompense.

The ATTORNEY GENERAL spoke next, to this purport:—Sir, the clause before us cannot, in my opinion, produce any such dreadful consequences as the learned gentleman appears to imagine: however, to remove all difficulties, I have drawn up an amendment, which I shall beg leave to propose, that the contracts which may be affected as the clause now stands, *shall be void only as to so much of the wages as shall exceed the sum to which the house shall agree to reduce the seamen's pay*; and, as to the forfeitures, they are not to be levied upon the sailors, but upon the merchants, or trading companies, who employ them, and who are able to pay greater sums without being involved in poverty and distress.

With regard, sir, to the reasons for introducing this clause, they are, in my judgment, valid and equitable. We have found it necessary to fix the rate of money at interest, and the rate of labour in several cases, and if we do not in this case, what will be the consequence?—a second embargo on commerce, and, perhaps, a total stop to all military preparations. Is it reasonable that any man should rate his labour according to the immediate necessities of those that employ him? or that he should raise his own fortune by the publick calamities? If this has hitherto been a practice, it is a practice contrary to the general happiness of society, and ought to prevail no longer.

If the sailor, sir, is exposed to greater dangers in time of war, is not the merchant's trade carried on, likewise, at greater hazard? Is not the freight, equally with the sailors, threatened at once by the ocean and the enemy? And is not the owner's fortune equally impaired, whether the ship is dashed upon a rock, or seized by a privateer?

The merchant, therefore, has as much reason for paying less wages in time of war, as the sailor for demanding more, and nothing remains but that the legislative power determine a medium between their different interests, with justice, if possible, at least with impartiality.

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Mr. HORACE WALPOLE, who had stood up several times, but was prevented by other members, spoke next, to this purport:—Sir, I was unwilling to interrupt the course of this debate while it was carried on with calmness and decency, by men who do not suffer the ardour of opposition to cloud their reason, or transport them to such expressions as the dignity of this assembly does not admit. I have hitherto deferred to answer the gentleman who declaimed against the bill with such fluency of rhetorick, and such vehemence of gesture; who charged the advocates for the expedients now proposed, with having no regard to any interest but their own, and with making laws only to consume paper, and threatened them with the defection of their adherence, and the loss of their influence, upon this new discovery of their folly and their ignorance.

Nor, sir, do I now answer him for any other purpose than to remind him how little the clamours of rage and petulancy of invectives contribute to the purposes for which this assembly is called together; how little the discovery of truth is promoted, and the security of the nation established by pompous diction and theatrical emotions.

Formidable sounds, and furious declamations, confident assertions, and lofty periods, may affect the young and unexperienced; and, perhaps, the gentleman may have contracted his habits of oratory by conversing more with those of his own age, than with such as have had more opportunities of acquiring knowledge, and more successful methods of communicating their sentiments.

If the heat of his temper, sir, would suffer him to attend to those whose age and long acquaintance with business give them an indisputable right to deference and superiority, he would learn, in time, to reason rather than declaim, and to prefer justness of argument, and an accurate knowledge of facts, to sounding epithets and splendid superlatives, which may disturb the imagination for a moment, but leave no lasting impression on the mind.

He will learn, sir, that to accuse and prove are very different, and that reproaches, unsupported by evidence, affect only the character of him that utters them. Ex-

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cursions of fancy, and flights of oratory, are, indeed, pardonable in young men, but in no other; and it would surely contribute more, even to the purpose for which some gentlemen appear to speak, that of depreciating the conduct of the administration, to prove the inconveniencies and injustice of this bill, than barely to assert them, with whatever magnificence of language, or appearance of zeal, honesty, or compassion.

Mr. PITT replied:—Sir, the atrocious crime of being a young man, which the honourable gentleman has with such spirit and decency charged upon me, I shall neither attempt to palliate nor deny, but content myself with wishing that I may be one of those whose follies may cease with their youth, and not of that number, who are ignorant in spite of experience.

Whether youth can be imputed to any man as a reproach, I will not, sir, assume the province of determining; but surely age may become justly contemptible, if the opportunities which it brings have passed away without improvement, and vice appears to prevail when the passions have subsided. The wretch that, after having seen the consequences of a thousand errours, continues still to blunder, and whose age has only added obstinacy to stupidity, is surely the object of either abhorrence or contempt, and deserves not that his grey head should secure him from insults.

Much more, sir, is he to be abhorred, who, as he has advanced in age, has receded from virtue, and becomes more wicked with less temptation; who prostitutes himself for money which he cannot enjoy, and spends the remains of his life in the ruin of his country.

But youth, sir, is not my only crime; I have been accused of acting a theatrical part—a theatrical part may either imply some peculiarities of gesture, or a dissimulation of my real sentiments, and an adoption of the opinions and language of another man.

In the first sense, sir, the charge is too trifling to be confuted, and deserves only to be mentioned, that it may be despised. I am at liberty, like every other man, to use my

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own language; and though I may, perhaps, have some ambition to please this gentleman, I shall not lay myself under any restraint, nor very solicitously copy his diction, or his mien, however matured by age, or modelled by experience.

If any man shall, by charging me with theatrical behaviour, imply that I utter any sentiments but my own, I shall treat him as a calumniator and a villain; nor shall any protection shelter him from the treatment which he deserves. I shall, on such an occasion, without scruple, trample upon all those forms, with which wealth and dignity intrench themselves, nor shall any thing but age restrain my resentment: age, which always brings one privilege, that of being insolent and supercilious without punishment.

But, with regard, sir, to those whom I have offended, I am of opinion, that if I had acted a borrowed part, I should have avoided their censure; the heat that offended them is the ardour of conviction, and that zeal for the service of my country, which neither hope nor fear shall influence me to suppress. I will not sit unconcerned while my liberty is invaded, nor look in silence upon publick robbery. I will exert my endeavours, at whatever hazard, to repel the aggressor, and drag the thief to justice, whoever may protect them in their villany, and whoever may partake of their plunder. And if the honourable gentleman——

Here Mr. WINNINGTON called to order, and Mr. Pitt sitting down, he spoke thus:—It is necessary, sir, that the order of this assembly be observed, and the debate resumed without personal altercations. Such expressions as have been vented on this occasion, become not an assembly intrusted with the liberty and welfare of their country. To interrupt the debate on a subject so important as that before us, is, in some measure, to obstruct the publick happiness, and violate our trust: but much more heinous is the crime of exposing our determinations to contempt, and inciting the people to suspicion or mutiny, by indecent reflections, or unjust insinuations.

I do not, sir, undertake to decide the controversy be-

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tween the two gentlemen, but must be allowed to observe, that no diversity of opinion can justify the violation of decency, and the use of rude and virulent expressions; expressions dictated only by resentment, and uttered without regard to——

Mr. PITT called to order, and said:—Sir, if this be to preserve order, there is no danger of indecency from the most licentious tongue: for what calumny can be more atrocious, or what reproach more severe, than that of speaking with regard to any thing but truth. Order may sometimes be broken by passion, or inadvertency, but will hardly be reestablished by monitors like this, who cannot govern his own passion, whilst he is restraining the impetuosity of others.

Happy, sir, would it be for mankind, if every one knew his own province; we should not then see the same man at once a criminal and a judge. Nor would this gentleman assume the right of dictating to others what he has not learned himself.

That I may return, in some degree, the favour which he intends me, I will advise him never hereafter to exert himself on the subject of order; but, whenever he finds himself inclined to speak on such occasions, to remember how he has now succeeded, and condemn, in silence, what his censures will never reform.

Mr. WINNINGTON replied:—Sir, as I was hindered by the gentleman's ardour and impetuosity from concluding my sentence, none but myself can know the equity or partiality of my intentions, and, therefore, as I cannot justly be condemned, I ought to be supposed innocent; nor ought he to censure a fault of which he cannot be certain that it would ever have been committed.

He has, indeed, exalted himself to a degree of authority never yet assumed by any member of this house, that of condemning others to silence. I am henceforward, by his inviolable decree, to sit and hear his harangues without daring to oppose him. How wide he may extend his authority, or whom he will proceed to include in the same sentence, I shall not determine; having not yet arrived at

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the same degree of sagacity with himself, nor being able to foreknow what another is going to pronounce.

If I had given offence by any improper sallies of passion, I ought to have been censured by the concurrent voice of the assembly, or have received a reprimand, sir, from you, to which I should have submitted without opposition; but I will not be doomed to silence by one who has no pretensions to authority, and whose arbitrary decisions can only tend to introduce uproar, discord, and confusion.

Mr. HENRY PELHAM next rose up, and spoke to this effect:—Sir, when, in the ardour of controversy upon interesting questions, the zeal of the disputants hinders them from a nice observation of decency and regularity, there is some indulgence due to the common weakness of our nature; nor ought any gentleman to affix to a negligent expression a more offensive sense than is necessarily implied by it.

To search deep, sir, for calumnies and reproaches is no laudable nor beneficial curiosity; it must always be troublesome to ourselves by alarming us with imaginary injuries, and may often be unjust to others by charging them with invectives which they never intended. General candour and mutual tenderness will best preserve our own quiet, and support that dignity which has always been accounted essential to national debates, and seldom infringed without dangerous consequences.

Mr. LYTTLETON spoke as follows:—Sir, no man can be more zealous for decency than myself, or more convinced of the necessity of a methodical prosecution of the question before us. I am well convinced how near indecency and faction are to one another, and how inevitably confusion produces obscurity; but I hope it will always be remembered, that he who first infringes decency, or deviates from method, is to answer for all the consequences that may arise from the neglect of senatorial customs: for it is not to be expected that any man will bear reproaches without reply, or that he who wanders from the question will not be followed in his digressions, and hunted through his labyrinths.

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It cannot, sir, be denied, that some insinuations were uttered injurious to those whose zeal may sometimes happen to prompt them to warm declarations, or incite them to passionate emotions. Whether I am of importance enough to be included in the censure, I despise it too much to inquire or consider, but cannot forbear to observe, that zeal for the right can never become reproachful, and that no man can fall into contempt but those who deserve it.

[The clause was amended, and agreed to.]

HOUSE OF COMMONS, MARCH 13, 1740-1.

The seventieth day of the session being appointed for the report from the committee on the bill for the increase and encouragement of sailors, sir JOHN BARNARD presented a petition from the merchants of London, and spoke as follows:—

Sir, this petition I am directed to lay before this house by many of the principal merchants of that great city which I have the honour to represent; men too wise to be terrified with imaginary dangers, and too honest to endeavour the obstruction of any measures that may probably advance the publick good, merely because they do not concur with their private interest; men, whose knowledge and capacity enable them to judge rightly, and whose acknowledged integrity and spirit set them above the suspicion of concealing their sentiments.

I therefore present this petition in the name of the merchants of London, in full confidence that it will be found to deserve the regard of this assembly, though I am, equally with the other members, a stranger to what it contains; for it is my opinion that a representative is to lay before the house the sentiments of his constituents, whether they agree with his own or not, and that, therefore, it would have been superfluous to examine the petition,

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which, though I might not wholly have approved it, I had no right to alter.

The petition was read, and is as follows:

"The humble petition of the merchants and traders of the city of London—showeth, that your petitioners are informed a bill is depending in this honourable house, for the encouragement and increase of seamen, and for the better and speedier manning his majesty's fleet, in which are clauses, that, should the bill pass into a law, your petitioners apprehend will be highly detrimental to the trade and navigation of this kingdom, by discouraging persons from entering into or being bred to the sea service, and entirely prevent the better and speedier manning his majesty's fleet, by giving the seamen of Great Britain, and of all other his majesty's dominions, a distaste of serving on board the royal navy.

"That your petitioners conceive nothing can be of so bad consequence to the welfare and defence of this nation, as the treating so useful and valuable a body of men, who are its natural strength and security, like criminals of the highest nature, and so differently from all other his majesty's subjects; and at the same time are persuaded, that the only effectual and speedy method of procuring, for the service of his majesty's fleet, a proportionable number of the sailors in this kingdom, is to distinguish that body of men by bounties and encouragements, both present and future, and by abolishing all methods of severity and ill usage, particularly that practice whereby they are deprived, after long and hazardous voyages, of enjoying, for a short space of time, the comforts of their families, and equal liberty with other their fellow-subjects in their native country.

"That your petitioners believe it will not be difficult to have such methods pointed out as will tend to supply the present necessities, and at the same time effectually promote the increase of seamen, when this honourable house shall think fit to inquire into a matter of such high importance to the naval power, trade, and riches of this kingdom.

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"That your petitioners are convinced this bill will not only be ineffectual to answer the ends proposed by it, but will be destructive of the liberties of all his majesty's subjects, as it empowers any parish officer, accompanied with an unlimited number of persons, at any hour, by day or by night, to force open the dwelling-houses, warehouses, or other places, provided for the security and defence of their lives and fortunes, contrary to the undoubted liberties of the people of Great Britain, and the laws of this land.

"In consideration, therefore, of the premises, and of the particular prejudices, hardships, and dangers, which must inevitably attend your petitioners, and all others the merchants and traders of this kingdom, should this bill pass into a law, your petitioners most humbly pray this honourable house, that they may be heard by their counsel against the said clauses in the said bill."

Mr. BATHURST then presented a petition, and spoke as follows:—Sir, the alarm which the bill, now depending, has raised, is not confined to the city of London, or to any particular province of the king's dominions; the whole nation is thrown into commotions, and the effects of the law now proposed, are dreaded, far and wide, as a general calamity. Every town which owes its trade and its provisions to navigation, apprehends the approach of poverty and scarcity, and those which are less immediately affected, consider the infraction of our liberties as a prelude to their destruction. Happy would it be, if we, who are intrusted with their interest, could find any arguments to convince them that their terrour was merely panick.

That these fears have already extended their influence to the county which I represent, the petition which I now beg leave to lay before the house, will sufficiently evince; and I hope their remonstrances will prevail with this assembly to remove the cause of their disquiet, by rejecting the bill.

This was entitled "a petition of several gentlemen, freeholders, and other inhabitants of the county of Gloucester, in behalf of themselves, and all other, the freeholders of the said county," setting forth, in substance,

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"That the petitioners being informed that a bill was depending in this house, for the encouragement and increase of seamen, and for the better and speedier manning his majesty's fleet, containing several clauses which, should the bill pass into a law, would, as the petitioners apprehend, impose hardships upon the people too heavy to be borne, and create discontents in the minds of his majesty's subjects; would subvert all the rights and privileges of a Briton; and overturn Magna Charta itself, the basis on which they are built; and, by these means, destroy that very liberty, for the preservation of which the present royal family was established upon the throne of Britain; for which reasons, such a law could never be obeyed, or much blood would be shed in consequence of it."

Mr. HENRY PELHAM then spoke, to this purport:—Sir, I have attended to this petition with the utmost impartiality, and have endeavoured to affix, to every period, the most innocent sense; but cannot forbear to declare it as my opinion, that it is far distant from the style of submission and request: instead of persuading, they attempt to intimidate us, and menace us with no less than bloodshed and rebellion. They make themselves the judges of our proceedings, and appeal, from our determinations, to their own opinion, and declare that they will obey no longer than they approve.

If such petitions as these, sir, are admitted; if the legislature shall submit to receive laws, and subjects resume, at pleasure, the power with which the government is vested, what is this assembly but a convention of empty phantoms, whose determinations are nothing more than a mockery of state?

Every insult upon this house is a violation of our constitution; and the constitution, like every other fabrick, by being often battered, must fall at last. It is, indeed, already destroyed, if there be, in the nation, any body of men who shall, with impunity, refuse to comply with the laws, plead the great charter of liberty against those powers that made it, and fix the limits of their own obedience.

I cannot, sir, pass over, in silence, the mention of the

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king, whose title to the throne, and the reasons for which he was exalted to it, are set forth with uncommon art and spirit of diction; but spirit, which, in my opinion, appears not raised by zeal, but by sedition; and which, therefore, it is our province to repress.

That his majesty reigns for the preservation of liberty, will be readily confessed; but how shall we be able to preserve it, if his laws are not obeyed?

Let us, therefore, in regard to the dignity of the assembly, to the efficacy of our determinations, and the security of our constitution, discourage all those who shall address us for the future, on this or any other occasion, from speaking in the style of governours and dictators, by refusing that this petition should be laid on the table.

[The question was put, and it was agreed, by the whole house, that it should not lie on the table.]

Mr. HENRY PELHAM rose up again, and spoke thus:—Sir, I cannot but congratulate the house upon the unanimity with which this petition, a petition of which I speak in the softest language, when I call it irreverent and disrespectful, has been refused the regard commonly paid to the remonstrances of our constituents, whose rights I am far from desiring to infringe, when I endeavour to regulate their conduct, and recall them to their duty.

This is an occasion, on which it is, in my opinion, necessary to exert our authority with confidence and vigour, as the spirit of opposition must always be proportioned to that of the attack. Let us, therefore, not only refuse to this petition the usual place on our table, but reject it as unworthy of this house.

[The question was put, and the petition rejected, with scarcely any opposition.]

The house then entered upon the consideration of the bill, and when the report was made from the committee, and the blanks filled up, sir WILLIAM YONGE spoke, in the following manner:—

Sir, the bill has been brought, by steady perseverance and diligent attention, to such perfection, that much more important effects may be expected from it than from any former law for the same purpose, if it be executed with

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the same calmness and resolution, the same contempt of popular clamour, and the same invariable and intrepid adherence to the publick good, that has been shown in forming and defending it.

But what can we hope from this, or any other law, if particular men, who cannot be convinced of its expedience, shall not only refuse to obey it, but declare their design of obstructing the execution of it? shall determine to retire from the sphere of their authority, rather than exercise it in compliance with the decree of the senate, and threaten, in plain terms, to call the country in to their assistance, and to pour the rabble by thousands upon those who shall dare to do their duty, and obey their governours?

Such declarations as these, sir, are little less than sallies of rebellion; and, if they pass without censure, will, perhaps, produce such commotions as may require to be suppressed by other means than forms of law and senatorial censures.

Nor do I think that, by rejecting the petition, we have sufficiently established our authority; for, in my opinion, we yielded too much in receiving it. The bill before us, whatever may be its title, is, in reality, a money bill; a bill, by which aids are granted to the crown; and we have, therefore, no necessity of rejecting petitions on this occasion, because the standing orders of the house forbid us to admit them.

They then proceeded to the amendments, and when the clause for limiting the wages of seamen was read, sir JOHN BARNARD rose up, and spoke to this effect:—

Sir, we are now to consider the clause to which the petition relates, which I have now presented, a petition on a subject of so general importance, and offered by men so well acquainted with every argument that can be offered, and every objection which can be raised, that their request of being heard by their council cannot be denied, without exposing us to the censure of adhering obstinately to our own opinions, of shutting our ears against information, of preferring expedition to security, and disregarding the welfare of our country.

It will not be necessary to defer our determinations on

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this clause for more than three days, though we should gratify this just and common request. And will not this loss be amply compensated by the satisfaction of the people, for whose safety we are debating, and by the consciousness that we have neglected nothing which might contribute to the efficacy of our measures?

The merchants, sir, do not come before us with loud remonstrances and harassing complaints, they do not apply to our passions, but our understandings, and offer such informations as will very much facilitate the publick service. It has been frequent, in the course of this debate, to hear loud demands for better expedients, and more efficacious, than those which have been proposed; and is it to be conceived that those who called thus eagerly for new proposals, intended not to inform themselves, but to silence their opponents?

From whom, sir, are the best methods for the prosecution of naval affairs to be expected, but from those whose lives are spent in the study of commerce, whose fortunes depend upon the knowledge of the sea, and who will, most probably, exert their abilities in contriving expedients to promote the success of the war, than they whom the miscarriage of our fleets must irreparably ruin?

The merchants, sir, are enabled by their profession to inform us—are deterred by their interest from deceiving us; they have, like all other subjects, a right to be heard on any question; and a better right than any other when their interest is more immediately affected; and, therefore, to refuse to hear them, will be, at once, impolitick and cruel; it will discover, at the same time, a contempt of the most valuable part of our fellow-subjects, and an inflexible adherence to our own opinions.

The expedient of asserting this to be a money bill, by which the just remonstrances of the merchants are intended to be eluded, is too trivial and gross to be adopted by this assembly: if this bill can be termed a money bill, and no petitions are, therefore, to be admitted against it, I know not any bill relating to the general affairs of the nation which may not plead the same title to an exemption from petitions.

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I therefore desire that the consideration of this clause may be deferred for two days, that the arguments of the merchants may be examined, and that this affair may not be determined without the clearest knowledge and exactest information.

Sir ROBERT WALPOLE spoke next, to this effect:—Sir, the petition, whether justifiable or not, with regard to the occasion on which it is presented, or the language in which it is expressed, is certainly offered at an improper time, and, therefore, can lay no claim to the regard of this assembly.

The time prescribed, by the rules of this house, for the reception of petitions, is that at which the bill is first introduced, not at which it is to be finally determined.

The petition before us is said not to regard the bill in general, but a particular clause; and it is, therefore, asserted, that it may now properly be heard: but this plea will immediately vanish, when it shall be made appear that the clause is not mentioned in it, and that there is no particular relation between that and the petition, which I shall attempt——

Here sir JOHN BARNARD, remarking that sir Robert Walpole had the petition in his hand, rose, and said:—Sir, I rise thus abruptly to preserve the order of this assembly, and to prevent any gentleman from having, in this debate, any other advantage, above the rest, than that of superiour abilities, or more extensive knowledge.

The petition was not ordered, by the house, to be placed in the right honourable gentleman's hand, but on the table; nor has he a right to make use of any other means for his information, than are in the power of any other member: if he is in doubt upon any particulars contained in it, he may move that the clerk should read it to the house.

Sir Robert Walpole laid down the paper; Mr. PELHAM rose, and said:—Sir, I am so far from thinking the rules of the house asserted, that, in my opinion, the right of the members is infringed by this peremptory demand. Is it not, in the highest degree, requisite, that he who is about to reason upon the petition should acquaint himself with the subject on which he is to speak.

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What inconveniencies can ensue from such liberties as this, I am not able to discover; and, as all the orders of the house are, doubtless, made for more easy and expeditious despatch, if an order be contrary to this end, it ought to be abrogated for the reasons for which others are observed.

The confidence with which this petition was presented, will not suffer us to imagine that the person who offered it fears that it can suffer by a close examination; and I suppose, though he has spoken so warmly in favour of it, without perusing, he does not expect that others should with equal confidence admit———

Sir JOHN BARNARD observing that sir Robert Walpole leaned forward towards the table, to read the petition as it lay, rose, and said:—Sir, I rise once more to demand the observation of the orders of the house, and to hinder the right honourable gentleman from doing by stratagem, what he did more openly and honestly before.

It was to little purpose that he laid down the petition, if he placed it within reach of his inspection? for I was only desirous, sir, to hinder him from reading, and was far from suspecting that he would take it away. I insist, that henceforward, he obey the rules of this assembly, with his eyes as well as with his hands, and take no advantage of his seat, which may enable him to perplex the question in debate.

Then the PRESIDENT spoke thus:—Sir, it is, undoubtedly, required by the orders of the house, that the petitions should lie upon the table; and that any member, who is desirous of any farther satisfaction, should move that they be read by the clerk, that every member may have the same opportunity of understanding and considering them; and that no one may be excluded from information, by the curiosity or delays of another. But the importance of this affair seems not to be so very great as to require a rigorous observance of the rules; and it were to be wished, for the ease and expedition of our deliberations, that gentlemen would rather yield points of indifference to one another, than insist so warmly on circumstances of a trivial nature.

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Sir ROBERT WALPOLE then desired that the clerk might read the petition, which being immediately done, he proceeded in the following manner:—

Sir, having sat above forty years in this assembly, and never been called to order before, I was somewhat disconcerted by a censure so new and unexpected, and, in my opinion, undeserved. So that I am somewhat at a loss, with regard to the train of arguments which I had formed, and which I will now endeavour to recover. Yet I cannot but remark, that those gentlemen who are so solicitous for order in others, ought, themselves, invariably to observe it; and that if I have once given an unhappy precedent of violating the rules of this house, I have, in some measure, atoned for my inadvertence, by a patient attention to reproof, and a ready submission to authority.

I hope, sir, I may claim some indulgence from the motive of my offence, which was only a desire of accuracy, and an apprehension that I might, by mistaking or forgetting some passages in the petition, lose my own time, and interrupt the proceedings of the house to no purpose.

But having now, according to order, heard the petition, and found no reason to alter my opinion, I shall endeavour to convince the house that it ought not to be granted.

The petition, sir, is so far from bearing any particular relation to the clause now before us, that it does not, in any part, mention the expedient proposed in it, but contains a general declaration of discontent, suspicion, apprehensions of dangerous proceedings, and dislike of our proceedings; insinuations, sir, by no means consistent with the reverence due to this assembly, and which the nature of civil government requires always to be paid to the legislative power.

To suspect any man, sir, in common life, is in some degree to detract from his reputation, which must suffer in proportion to the supposed wisdom and integrity of him who declares his suspicion. To suspect the conduct of this senate, is to invalidate their decisions, and subject them to contempt and opposition.

Such, and such only, appears to be the tendency of the

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petition which has now been read; a petition, sir, very unskilfully drawn, if it was intended against the clause under our consideration, for it has not a single period or expression that does not equally regard all the other clauses.

If any particular objection is made, or any single grievance more distinctly pointed at, it is the practice of impresses, a hardship, I own, peculiar to the sailors; but it must be observed that it is a practice established by immemorial custom, and a train of precedents not to be numbered; and it is well known that the whole common law of this nation is nothing more than custom, of which the beginning cannot be traced.

Impresses, sir, have in all ages been issued out by virtue of the imperial prerogative, and have in all ages been obeyed; and if this exertion of the authority had been considered as a method of severity not compensated by the benefits which it produces, we cannot imagine but former senates, amidst all their ardour for liberty, all their tenderness for the people, and all their abhorrence of the power of the crown, would have obviated it by some law, at those times when nothing could have been refused them.

The proper time for new schemes and long deliberations, for amending our constitution, and removing inveterate grievances, are the days of prosperity and safety, when no immediate danger presses upon us, nor any publick calamity appears to threaten us; but when war is declared, when we are engaged in open hostilities against one nation, and expect to be speedily attacked by another, we are not to try experiments, but apply to dangerous evils those remedies, which, though disagreeable, we know to be efficacious.

And though, sir, the petitioners have been more particular, I cannot discover the reasonableness of hearing them by their council; for to what purpose are the lawyers to be introduced? Not to instruct us by their learning, for their employment is to understand the laws that have been already made, and support the practices which they find established. But the question before us relates not to the past but the future, nor are we now to examine what has

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been done in former ages, but what it will become us to establish on the present occasion; a subject of inquiry on which this house can expect very little information from the professors of the law?

Perhaps the petitioners expect from their counsel, that they should display the fecundity of their imagination, and the elegance of their language; that they should amuse us with the illusions of oratory, dazzle us with bright ideas, affect us with strong representations, and lull us with harmonious periods; but if it be only intended that just facts and valid arguments should be laid before us, they will be received without the decorations of the bar. For this end, sir, it would have been sufficient had the merchants informed their representatives of the methods which they have to propose; for the abilities of the gentlemen whom the city has deputed to this assembly, are well known to be such as stand in need of no assistance from occasional orators. Nor can it be expected that any men will be found more capable of understanding the arguments of the merchants, or better qualified to lay them before the senate.

That every petitioner has, except on money bills, a right to be heard, is undoubtedly true; but it is no less evident that this right is limited to a certain time, and that on this occasion the proper time is elapsed. Justice is due both to individuals and to the nation; if petitions may at any time be offered, and are, whenever offered, to be heard, a small body of men might, by unseasonable and importunate petitions, retard any occasional law, till it should become unnecessary.

Petitions, sir, are to be offered when a new bill is brought into the house, that all useful information may be obtained; but when it has passed through the examination of the committees, has been approved by the collective wisdom of the senate, and requires only a formal ratification to give it the force of a law, it is neither usual nor decent to offer petitions, or declare any dislike of what the senate has admitted.

We are not, when we have proceeded thus far, to suffer pleaders to examine our conduct, or vary our determi-

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nations, according to the opinions of those whom we ought to believe less acquainted with the question than ourselves. Should we once be reduced to ask advice, and submit to dictators, what would be the reputation of this assembly in foreign courts, or in our own country? What could be expected, but that our enemies of every kind would endeavour to regulate our determinations by bribing our instructers.

Nor can I think it necessary that lawyers should be employed in laying before us any scheme which the merchants may propose, for supplying the defects, and redressing the inconveniencies, of the laws by which sailors are at present levied for the royal navy; for how should lawyers be more qualified than other men, to explain the particular advantages of such expedients, or to answer any objections which may happen to rise?

It is well known that it is not easy for the most happy speaker to impress his notions with the strength with which he conceives them, and yet harder is the task of transmitting imparted knowledge, of conveying to others those sentiments which we have not struck out by our own reflection, nor collected from our own experience, but received merely from the dictates of another.

Yet such must be the information that lawyers can give us, who can only relate what they have implicitly received, and weaken the arguments which they have heard, by an imperfect recital.

Nor do I only oppose the admission of lawyers to our bar, but think the right of the merchants themselves, in the present case, very questionable; for though in general it must be allowed, that every petitioner has a claim to our attention, yet it is to be inquired whether it is likely that the publick happiness is his chief concern, and whether his private interest is not too much affected to suffer him to give impartial evidence, or honest information. Scarcely any law can be made by which some man is not either impoverished, or hindered from growing rich; and we are not to listen to complaints, of which the foundation is so easily discovered, or imagine a law less useful, because

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those who suffer some immediate inconvenience from it, do not approve it.

The question before us is required, by the present exigence of our affairs, to be speedily decided; and though the merchants have, with great tenderness, compassion, and modesty, condescended to offer us their advice, I think expedition preferable to any information that can reasonably be expected from them, and that as they will suffer, in the first place, by any misconduct of our naval affairs, we shall show more regard to their interest by manning our fleet immediately, than by waiting three or four days for farther instructions.

Mr. SANDYS answered to this effect:—Sir, the merchants of London whether we consider their numbers, their property, their integrity, or their wisdom, are a body of too much importance to be thus contemptuously rejected; rejected when they ask nothing that can be justly denied to the meanest subject of the empire, when they propose to speak on nothing but what their profession enables them to understand.

To no purpose is it urged, that the bill is far advanced, for if we have not proceeded in the right way, we ought to be in more haste to return, in proportion as we have gone farther; nor can I discover why we should expedite, with so much assiduity, measures which are judged ineffectual, by those who know their consequences best, and for whose advantage they are particularly designed.

That we have already spent so much time in considering methods for manning the fleet, is surely one reason why we should endeavour at last to establish such as may be effectual; nor can we hope to succeed without a patient attention to their opinion, who must necessarily be well experienced in naval affairs.

It is surely, therefore, neither prudent nor just to shut out intelligence from our assemblies, and ridicule the good intention of those that offer it, to consult upon the best expedients for encouraging and increasing sailors, and when the merchants offer their scheme, to treat them as saucy, impertinent, idle meddlers, that assume——

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Here the ATTORNEY GENERAL called him to order, and spoke after this manner:—Sir, it is not very consistent to press the despatch of business, and to retard it, at the same time, by invidious insinuations, or unjust representations of arguments or expressions: whenever any expression is censured, it ought to be repeated in the same words; for otherwise, does not the animadverter raise the phantom that he encounters? Does he not make the stain, which he endeavours, with so much officious zeal, to wipe away.

That no epithets of contempt or ridicule have, in this debate, been applied to the merchants, nor any violation of decency attempted, it is unnecessary to prove, and, therefore, it is neither regular nor candid to represent any man as aggravating the refusal of their petition with reproaches and insults. But not to dwell longer on this incident, I will take the liberty of reminding the gentleman, that personal invectives are always, at least superfluous, and that the business of the day requires rather arguments than satire.

Mr. SANDYS then spoke as follows:– Sir, I am by no means convinced that the learned gentleman who charges me with irregularity, is better acquainted than myself with the rules and customs of this house, which I have studied with great application, assisted by long experience. I hope, therefore, it will be no inexcusable presumption, if, instead of a tacit submission to his censure, I assert, in my own vindication, that I have not deviated from the established rules of the senate, that I have spoken only in defence of merit insulted, and that I have condemned only such injurious insinuations. I did not, sir, attempt to repeat expressions, as ought not to be heard without reply.

Then the PRESIDENT said:—I believe the gentleman either heard imperfectly, or misunderstood these expressions, which he so warmly condemns, for nothing has been uttered that could justly excite his indignation. My office obliges me on this occasion to remark, that the regard due to the dignity of the house ought to restrain every member from digressions into private satire; for in proportion as

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we proceed with less decency, our determinations will have less influence.

Mr. PELHAM spoke next, in substance as follows:—Sir, the reputation which the honourable gentleman has acquired by his uncommon knowledge of the usages of the senate, is too well founded to be shaken, nor was any attack upon his character intended, when he was interrupted in the prosecution of his design. To censure any indecent expression, by whomsoever uttered, is, doubtless, consistent with the strictest regularity; nor is it less proper to obviate any misrepresentation which inattention or mistake may produce.

I am far, sir, from thinking that the gentleman's indignation was excited rather by malice than mistake; but mistakes of this kind may produce consequences which cannot be too cautiously avoided. How unwillingly would that gentleman propagate through the nation an opinion that the merchants were insulted in this house, their interest neglected, and their intelligence despised, at a time when no aspersion was thrown upon them, nor any thing intended but tenderness and regard? And yet such had been the representation of this day's debate, which this numerous audience would have conveyed to the populace, had not the mistake been immediately rectified, and the rumour crushed in the birth.

Nothing, sir, can be more injurious to the character of this assembly, by which the people are represented, than to accuse them of treating any class of men with insolence and contempt; and too much diligence cannot be used in obviating a report which cannot be spread in the nation, without giving rise to discontent, clamours, and sedition.

Those who shall be inclined to reject the petition, may, perhaps, act with no less regard to the merchants, and may promote their interest and their security with no less ardour than those who most solicitously labour for its reception: for, if they are not allowed to be heard, it is only because the publick interest requires expedition, and because every delay of our preparations is an injury to trade.

That this is not a proper time for petitions against the

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bill to be heard, is universally known; and I can discover nothing in the petition that restrains it to this particular clause, which is so far from being specified, that it appears to be the only part of the bill of which they have had no intelligence.

Let the warmest advocates for the petition point out any part of it that relates to this single clause, and I will retract my assertion; but as it appears that there are only general declarations of the inexpediency of the measures proposed, and the pernicious tendency of the methods now in use, what is the petition, but a complaint against the bill, and a request that it should be laid aside.

The practice of impresses, sir, is particularly censured, as severe and oppressive; a charge which, however true, has no relation to this clause, which is intended to promote the voluntary engagement of sailors in the service of the crown; yet it may not be improper to observe, that as the practice of impressing is, in itself, very efficacious, and well adapted to sudden emergencies; as it has been established by a long succession of ages, and is, therefore, become almost a part of our constitution; and as it is at this time necessary to supply the navy with the utmost expedition, it is neither decent nor prudent to complain too loudly against, or to heighten the discontent of the people at a necessary evil.

We have, sir, examined every part of this bill with the attention which the defence of the nation requires; we have softened the rigour of the methods first proposed, and admitted no violence or hardship that is not absolutely necessary, to make the law effectual, which, like every other law, must be executed by force, if it be obstructed or opposed. We have inserted a great number of amendments, proposed by those who are represented as the most anxious guardians of the privileges of the people; and it is not, surely, to no purpose that the great council of the nation has so long and so studiously laboured.

Those who are chosen by the people to represent them, have undoubtedly, sir, some claim as individuals to their confidence and respect; for to imagine that they have

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committed the great charge of senatorial employments, that they have trusted their liberties and their happiness to those whose integrity they suspect, or whose understandings they despise, is to imagine them much more stupid than they have been represented by those who are censured as their enemies.

But far different is the regard due to the determinations formed by the collective wisdom of the senate; a regard which ought to border upon reverence, and which is scarcely consistent with the least murmur of dissatisfaction.

If we are to hear the present petitioners, is it not probable, that before we have despatched them, we shall be solicited by others, who will then plead the same right, supported by a new precedent? And is it not possible that by one interruption upon another, our measures may be delayed, till they shall be ineffectual?

It seems to me to be of much more importance to defend the merchants than to hear them; and I shall, therefore, think no concessions at this time expedient, which may obstruct the great end of our endeavours, the equipment of the fleet.

Mr. PULTENEY then spoke as follows:—Sir, notwithstanding the art and eloquence with which this grant of the merchants' petition has been opposed, I am not yet able to discover that any thing is asked unreasonable, unprecedented, or inconvenient; and I am confident, that no real objection can have been overlooked by the gentlemen who have spoken against it.

I have spent, sir, thirty-five years of my life in the senate, and know that information has always, upon important questions, been willingly received; and it cannot surely be doubted that the petitioners are best able to inform us of naval business, and to judge what will be the right method of reconciling the sailors to the publick service, and of supplying our fleets without injuring our trade.

Their abilities and importance have been hitherto so generally acknowledged, that no senate has yet refused to attend to their opinion; and surely we ought not to be am-

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bitious of being the first assembly of the representatives of the people, that has refused an audience to the merchants.

With regard to the expedience of delaying the bill at the present conjuncture, he must think very contemptuously of the petitioners, who imagines that they have nothing to offer that will counterbalance a delay of two days, and must entertain an elevated idea of the vigilance and activity of our enemies, enemies never before eminent for expedition, if he believes that they can gain great advantages in so short a time.

The chief reason of the opposition appears, indeed, not to be either the irregularity or inexpediency of hearing them, but the offence which some have received from an irreverent mention of the power of impressing, a power which never can be mentioned without complaint or detestation.

It is not, indeed, impossible that they may intend to represent to the house, how much the sailors are oppressed, how much our commerce is impeded, and how much the power of the nation is exhausted, by this cruel method. They may propose to show that sailors, not having the choice of their voyages, are often hurried through a sudden change of climates, from one extreme to another, and that nothing can be expected from such vicissitudes, but sickness, lameness, and death. They may propose, that to have just arrived from the south may be pleaded as an exemption from an immediate voyage to the north, and that the seaman may have some time to prepare himself for so great an alteration, by a residence of a few months in a temperate climate.

If this should be their intention, it cannot, in my opinion, sir, be called either unreasonable or disrespectful, nor will their allegations be easily disproved.

But it is insinuated, that their grievances are probably such as affect them only as distinct from the rest of the community, and that they have nothing to complain of but a temporary interruption of their private advantage.

I have, indeed, no idea of the *private advantage* of a legal trader: for unless, sir, we neglect our duty of pro-

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viding that no commerce shall be carried on to the detriment of the publick, the merchant's profit must be the profit of the nation, and their interests inseparably combined.

It may, however, be possible, that the merchants may, like other men, prefer their immediate to their greater advantage, and may be impatient of a painful remedy, though necessary to prevent a more grievous evil. But let us not censure them by suspicion, and punish them for a crime which it is only possible they may commit; let us, sir, at least have all the certainty that can be obtained, and allow them an audience; let us neither be so positive as not to receive information, nor so rigorous as not to listen to entreaties.

If the merchants have nothing to offer, nothing but complaints, and can propose no better measures than those which they lament, if their arguments should be found to regard only their present interest, and to be formed upon narrow views and private purposes, it will be easy to detect the imposture, and reject it with the indignation it shall deserve; nor will our proceedings be then censured by the nation, which requires not that the merchants should be implicitly believed, though it expects that they should be heard. Let us at least have a *convention*, though we should not be able to conclude a treaty.

I know not, sir, why we have not taken care to obviate all these difficulties, and to remove the necessity of petitions, debates, searches, and impresses, by the plain and easy method of a voluntary register; by retaining such a number of seamen as may probably be requisite upon sudden emergencies. Would not the nation with more cheerfulness contribute half-pay to those who are daily labouring for the publick good, than to the caterpillars of the land service, that grow old in laziness, and are disabled only by vice?

Let ten thousand men receive daily a small salary, upon condition that they shall be ready, whenever called upon, to engage in the service of the crown, and the difficulty of our naval preparations will be at an end.

That it is necessary to exert ourselves on this occasion,

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and to strike out some measures for securing the dominion of the ocean, cannot be denied by any one who considers that we have now no other pretensions to maintain; that all our influence on the continent, at whatever expense gained and supported, is now in a manner lost, and only the reputation of our naval strength remains to preserve us from being trampled on and insulted by every power, and from finding Spaniards in every climate.

Sir WILLIAM YONGE spoke, in substance, as follows: —Sir, the violence and severity of impresses, so often and so pathetically complained of, appears to be now nothing more than a punishment inflicted upon those who neglect or refuse to receive the encouragement offered, with the utmost liberality, by the government, and decline the service of their country from a spirit of avarice, obstinacy, or resentment.

That such men deserve some severities, cannot be doubted, and therefore a law by which no penalty should be enacted, would be imperfect and ineffectual. The observation, sir, of all laws is to be enforced by rewards on one side, and punishments on the other, that every passion may be influenced, and even our weakness made instrumental to the performance of our duty.

In the bill before us no punishment is, indeed, expressly decreed, because the sailors who shall disregard it, are only left to their former hardships, from which those who engage voluntarily in the service of the navy are exempted.

Why so many rewards and so much violence should be necessary to allure or force the sailors into the publick service, I am unable to comprehend: for, excepting the sudden change of climates, which may, doubtless, sometimes bring on distempers, the service of the king has no disadvantages which are not common to that of the merchants.

The wages in the navy are, indeed, less: but then it is to be remembered, that they are certainly paid, and that the sailor is in less danger of losing, by a tempest or a wreck, the whole profits of his voyage; because, if he can preserve his life, he receives his pay. But in trading

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voyages, the seamen mortgage their wages, as a security for their care, which, if the ship is lost, they are condemned to forfeit.

Thus, sir, the hardships of the navy appear not so great when compared with those of the merchants' service, as they have been hitherto represented; and I doubt not, that if counsellors were to be heard on both sides, the measures taken for supplying the fleet would be found to be reasonable and just.

Sir John Barnard rose to speak, when Mr. Fox called to order, and proceeded:

Sir, it is well known to be one of the standing and unvariable orders of this house, that no member shall speak twice in a debate on the same question, except when for greater freedom we resolve ourselves into a committee. Upon this question the honourable gentleman has already spoken, and cannot, therefore, be heard again without such a transgression of our orders as must inevitably produce confusion.

Sir John Barnard spoke thus:—Sir, I know not for what reason the honourable gentleman apprehends any violation of the order of the house; for, as I have not yet spoken upon the present question, I have an undoubted right to be heard, a right which that gentleman cannot take away.

Sir William Yonge next spoke, to this effect:—Sir, I know not by what secret distinction the gentleman supports in his own mind this declaration, which, to the whole house, must appear very difficult to be defended; for we must, before we can admit it, allow our memories to have forsaken us, and our eyes and ears to have been deceived.

Did he not, as soon as the clause before us was read, rise and assert the characters of the petitioners, and their right to the attention of the house? Did he not dwell upon their importance, their abilities, and their integrity; and enforce, with his usual eloquence, every motive to the reception of the petition? How then can he assert that he has not spoken in the present debate, and how can he

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expect to be heard a second time, since, however his eloquence may please, and his arguments convince, that pleasure and conviction cannot now be obtained, without infringing the standing orders of the house.

Then the PRESIDENT rose, and spoke to this purport: It is not without uneasiness that I see the time of the house, and of the publick, wasted in fruitless cavils and unnecessary controversies. Every gentleman ought now to consider that we are consulting upon no trivial question, and that expedition is not less necessary than accuracy. It cannot be denied, sir, [to sir John Barnard] that you have already spoken on this question, and that the rules of the house do not allow you to speak a second time.

Sir ROBERT WALPOLE said:—Sir, I am far from thinking the order of the house so sacred, as that it may not be neglected on some important occasions; and if the gentleman has any thing to urge so momentous, that, in his own opinion, it outweighs the regard due to our rules, I shall willingly consent that he shall be heard.

Sir JOHN BARNARD spoke as follows:—Sir, I am far from being inclined to receive as a favour, what, in my own opinion, I may claim as a right, and desire not to owe the liberty of speaking to the condescension of the right honourable gentleman.

What I have to urge is no less against the bill in general, than the particular clause now immediately under our consideration, and though the petition should relate likewise to the whole bill, I cannot discover why we should refuse to hear it.

Petitions from men of much inferiour rank, and whose interest is much less closely connected with that of the pnblick, have been thought necessary to be heard, nor is the meanest individual to be injured or restrained, without being admitted to offer his arguments in his own favour. Even the journeymen shoemakers, one of the lowest classes of the community, have been permitted to bring their counsel to our bar, and remonstrate against the inconveniencies to which they were afraid of being subjected.

Mr. WINNINGTON spoke thus:—Sir, I am always will-

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ing to hear petitions, when respectfully drawn up, and regularly subscribed, but can by no means discover that this is a real petition, for I have heard of no names affixed to it; it is, therefore, a request from nobody, and by rejecting it no man is refused. It may, so far as can be discovered, be drawn up by the gentleman who offered it, and, perhaps, no other person may be acquainted with it.

Mr. HAY spoke to the following purport:—Sir, it is, in my opinion, necessary that a petition in the name of the merchants of London should be subscribed by the whole number, for if only a few should put their names to it, how does it appear that it is any thing more than an apprehension of danger to their own particular interest, which, perhaps, the other part, their rivals in trade, may consider as an advantage, or at least regard with indifference. This suspicion is much more reasonable, when a petition is subscribed by a smaller number, who may easily be imagined to have partial views, and designs not wholly consistent with the interest of the publick.

Admiral WAGER then spoke thus:—Sir, if I am rightly informed, another petition is preparing by several eminent merchants, that this clause may stand part of the bill; and, certainly, they ought to be heard as well as the present petitioners, which will occasion great and unnecessary delays, and, therefore, I am against the motion.

Advocate CAMPBELL answered to this effect:—Sir, I agree with that honourable gentleman, that if the merchants are divided in opinion upon this point, one side ought to be heard as well as the other, and hope the house will come to a resolution for that purpose: for I shall invariably promote every proposal which tends to procure the fullest information in all affairs that shall come before us.

[Then the question was put, that the farther consideration of the report be adjourned for two days, in order to hear the merchants, and it passed in the negative, ayes, 142; noes, 192.]

[On the report this day, the eleven clauses of severity were given up without any division, and a clause was added, viz. "Provided that nothing in this bill shall be

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construed to extend to any contracts or agreements for the hire of seamen (or persons employed as such) in voyages from parts beyond the seas, to any other parts beyond the seas, or to Great Britain."]

The engrossed bill "for the increase and encouragement of seamen," was read, according to order, when Mr. DIGBY rose, and spoke as follows:—

Sir, I have a clause to be offered to the house, as necessary to be inserted in the bill before us, which was put into my hands by a member, whom a sudden misfortune has made unable to attend his duty, and which, in his opinion, and mine, is of great importance, and I shall, therefore, take the liberty of reading it.

"Be it enacted, that every seaman offering himself to serve his majesty, shall, upon being refused, receive from such captain, lieutenant, or justice of the peace, a certificate, setting forth the reasons for which he is refused, which certificate may be produced by him, as an exemption from being seized by a warrant of impress."

I hope the reasonableness and equity of this clause is so incontestably apparent, that it will find no opposition; for what can be more cruel, unjust, or oppressive, than to punish men for neglect of a law which they have endeavoured to obey. To what purpose are rewards offered, if they are denied to those who come to claim them? What is it less than theft, and fraud, to force a man into the service, who would willingly have entered, and subject him to hardships, without the recompense which he may justly demand from the solemn promise of the legislature.

Admiral WAGER next spoke to this effect:—Sir, to this clause, which the gentleman has represented as so reasonable and just, objections may, in my opinion, be easily made, of which he will himself acknowledge the force. The great obstruction of publick measures is partiality, whether from friendship, bribery, or any other motive; against partiality alone the clause which is now offered, is levelled; and, indeed, it is so dangerous an evil, that it cannot be obviated with too much caution.

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But this clause, instead of preventing private correspondence, and illegal combinations, has an evident tendency to produce them, by inciting men to apply with pretended offers of service to those who are before suborned to refuse them, then make a merit of their readiness, and demand a certificate.

By such artifices multitudes may exempt themselves from the impress, who may be known to be able sailors, even by those that conduct it; and may, under the protection of a certificate, fallaciously obtained, laugh at all endeavours to engage them in the publick service.

Mr. DIGBY spoke thus:—Sir, if this authority, lodged in the hands of those who are proposed in the clause to be intrusted with it, be in danger of being executed, without due regard to the end for which it is granted, let it be placed where there is neither temptation nor opportunity to abuse it. Let the admiralty alone have the power of granting such certificates, the officers of which will be able to judge whether the sailor is really unfit for the service, and deliver those whom age or accidents have disabled from the terrour of impresses; for surely, he that is fit to serve, when taken by violence, is no less qualified when he enters voluntarily, and he who could not be admitted when he tendered himself, ought not to be dragged away, when, perhaps, he has contracted for another voyage.

Mr. WAGER replied:—Sir, it is, doubtless, more proper to place such authority in the officers of the admiralty, than in any other; but it does not appear that the benefit which the sailors may receive from it, to whatever hands it is intrusted, will not be overbalanced by the injury which the publick will probably suffer.

Sailors are frequently levied in remote parts of the kingdom; in ports where the admiralty cannot speedily be informed of the reasons for which those that may petition for certificates have been refused, and therefore cannot grant them without danger of being deceived by fraudulent accounts.

The grievance for which the remedy is proposed cannot frequently occur; for it is not probable that in a time of

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naval preparations, any man qualified for the service should be rejected, since the officers gain nothing by their refusal.

Mr. HAY spoke as follows:—Sir, it is very possible that those instances which may be produced of men, who have been impressed by one officer, after they have been rejected by another, may be only the consequences of the high value which every man is ready to set upon his own abilities: for he that offers himself, no doubt, demands the highest premium, though he be not an able sailor; and, if rejected, and afterwards impressed as a novice, thinks himself at liberty to complain, with the most importunate vehemence, of fraud, partiality, and oppression.

[The question being put was resolved in the negative, almost unanimously.]

Mr. SOUTHWELL offered a clause, importing, "That all sailors who should take advance-money of the merchants, should be obliged to perform their agreements, or be liable to be taken up by any magistrate or justice of the peace, and deemed deserters, except they were in his majesty's ships of war."

He was seconded by lord GAGE:—Sir, as this clause has no other tendency than to promote the interest of the merchants, without obstructing the publick preparations; as it tends only to confirm legal contracts, and facilitate that commerce from whence the wealth and power of this nation arises, I hope it will readily be admitted; as we may, by adding this sanction to the contracts made between the merchants and sailors, in some degree balance the obstructions wherewith we have embarrassed trade by the other clauses.

Admiral WAGER replied:—This clause is unquestionably reasonable, but not necessary; for it is to be found already in an act made for the encouragement of the merchants, which is still in force, and ought, whenever any such frauds are committed, to be rigorously observed.

Sir ROBERT WALPOLE then desired that the clerk might read the act, in which the clause was accordingly found, and Mr. Southwell withdrew his motion.

[Then the question was put, whether the bill "for the in-

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crease and encouragement of sailors" do pass, which was resolved in the affirmative, 153 against 79.]

HOUSE OF COMMONS, MARCH 13, 1740-1.

The house being resolved into a committee for the consideration of the bill for the punishment of mutiny and desertion, and for the better payment of the army and their quarters, etc. sir WILLIAM YONGE desired that the twentieth and twenty-sixth clauses of the late act might be read, which were read as follows:

XX. It is hereby enacted, that the officers and soldiers, so quartered and billeted, shall be received by the owners of the inns, livery-stables, ale-houses, victualling-houses, and other houses in which they are allowed to be quartered and billeted by this act; and shall pay such reasonable prices as shall be appointed, from time to time, by the justices of the peace, in their general and quarter-sessions of each county, city, or division, within their respective jurisdictions: and the justices of the peace aforesaid, are hereby empowered and required to set and appoint, in their general or quarter-sessions aforesaid, such reasonable rates, for all necessary provisions for such officers and soldiers, for one or more nights, in the several cities, towns, villages and other places, which they shall come to in their march, or which shall be appointed for their residence and quarters.

XXVI. That the quarters, both of officers and soldiers in Great Britain, may be duly paid and satisfied, be it enacted, that every officer, to whom it belongs to receive the pay or subsistence-money, either for a whole regiment, or particular troops and companies, shall immediately, upon each receipt of every particular sum, on account of pay or subsistence, give publick notice thereof to all persons keeping inns, or other places where officers or soldiers are quartered by virtue of this act: also appoint them and others to repair to their quarters,

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within four days at the farthest, after the receipt of the same, to declare the accounts or debts (if any shall be) between them and the officers and soldiers quartered in their respective houses: which accounts the said officer or officers are hereby required immediately to discharge, before any part of the said pay or subsistence be distributed to the officers or soldiers: provided the said accounts exceed not for a commission officer of horse, under a captain, for one day's *diet and small beer*, two shillings; for one commission officer of dragoons, under a captain, one shilling; for one commission officer of foot, under a captain one shilling; and for hay and straw, for one horse, sixpence; for one dragoon or light horseman's diet and small beer, each day sixpence, and hay and straw for his horse, sixpence; and also not to exceed *fourpence* a-day, for one *foot soldier's diet and small beer*.

He then spoke to the following effect:—Sir, whether there is any real difficulty in the clauses which you have now heard read, or whether there are such passages as may be easily understood by those who have no interest to mistake them, and which are only clouded by an artificial obscurity, whether they are in themselves capable of different meanings, or whether avarice or poverty have produced unreasonable interpretations, and found ambiguities only because they were determined not to be disappointed in their search; whether this law is disobeyed because it is misunderstood, or only misunderstood by those who have resolved to disobey it, the committee must determine.

It has been for many years understood that innholders and keepers of publick-houses were obliged by this law to supply soldiers quartered upon them with diet and small beer, and hay and straw for their horses, at such rates as are mentioned in the act; nor can I discover that these clauses admit of any other interpretation, or that any other could be intended by the senate by which it was enacted.

The pay of the soldiers, sir, was well known to those who gave their consent to this law, it was intended by

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them that the soldiers should be supplied with necessaries, and it could not be meant that they should pay for them more than they received; they, therefore, established the rate at which they were to be furnished, and fixed the highest rate which the wages of a soldier allow him to pay.

This interpretation was, as I suppose, from its apparent consonance to reason, universally allowed, till the inhabitants of Ledbury, whither soldiers had been sent to suppress a riot and enforce the laws, found their apprehensions so sharpened by their malice, that they discovered in the act an ambiguity, which had, till that time, escaped the penetration of the most sagacious, and, upon comparison of one circumstance with another, found themselves under no obligation to give any assistance to the soldiers.

They therefore, sir, not only refused to afford them victuals at the accustomed rates, but proceeding from one latitude of interpretation to another, at length denied them not only the privilege of diet, but the use of kitchen utensils, to dress the provisions which they bought for themselves, and at last denied their claim to the fire itself.

The soldiers, exasperated not only at the breach of their established and uncontested privileges, but at the privation of the necessaries of life, began to think of methods more speedy and efficacious than those of arguments and remonstrances, and to form resolutions of procuring by force, what, in their opinions, was only by force withheld from them.

What might have been the event of this controversy, to what extremities a contest about things so necessary might have been carried, how wide the contest might have spread, or how long it might have lasted, we may imagine, but cannot determine; had not a speedy decision been procured, its consequences might have been fatal to multitudes, and a great part of the nation been thrown into confusion.

Having received an account of the affair from the officers who commanded at that place, I consulted the attorney-general what was the design of the law, and the extent of the obligation enforced by it, and was answered by

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him, that the sums which were to be paid for the diet of the men, and the hay and straw for the horses, being specified, it must necessarily be intended, by the legislature, that no higher rates should be demanded;—that the power granted to the justices of peace was wholly in favour of the soldier, and that they might lessen the payment at discretion in places of uncommon cheapness, or years of extraordinary plenty, but could not increase it on any occasion.

Another dispute, sir, of the like nature was occasioned by the late scarcity at Wakefield, where the justices, upon the application of the innkeepers, made use of the authority which they supposed to have been reposed in them by the act, and raised the price of hay and straw to eightpence, which the soldiers were not able to pay, without suffering for want of victuals.

On this occasion, likewise, I was applied to, and upon consulting the present attorney-general, received the same answer as before; and transmitting his opinion to the place from whence I received the complaint, it had so much regard paid to it, that the additional demand was thenceforward remitted.

The letters which those two learned lawyers sent to me on this subject I have now in my hand; and hope their opinion will be thought sufficient authority for the interpretation of an act of the senate.

Nor is their authority, sir, however great, so strong a proof of the justness of this interpretation, as the reasonableness, or rather necessity of admitting it. The only argument that can be produced against it, is the hardship imposed by it on the innholder, who, as it is objected, must be obliged by the law, so understood, to furnish the soldiers with provisions for a price at which he cannot afford them.

But let it be considered, how much more easily the landlord can furnish them at this price, than they can provide for themselves, and the difficulty will immediately vanish. If soldiers are necessary, they must necessarily be supported, and it appears, upon reflection, that their pay will not support them by any other method.

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If they are obliged to buy their victuals, they must likewise buy fire and implements to dress them; and what is still a greater hardship, they must sell them, and buy new, at every change of their quarters; if this is impossible, it will be allowed not to be the meaning of the senate, upon whose wisdom it would be a censure too severe to suppose them capable of enacting impossibilities.

But to the innholder, sir, whose utensils are always in use, and whose fire is always burning, the diet of a soldier costs only the original price paid to the butcher; and, in years of common plenty, may be afforded, without loss, at the price mentioned in the act. It cannot, indeed, be denied, that, at present, every soldier is a burden to the family on which he is quartered, in many parts of the kingdom; but, it may be reasonably hoped, that the present scarcity will quickly cease, and that provisions will fall back to their former value; and even, amidst all the complaints with which the severity and irregularity of the late seasons have filled the nation, there are many places where soldiers may be maintained at the stated rates, with very little hardship to their landlords.

However, sir, as this interpretation of the act, though thus supported, both by authority and reason, has been disputed and denied; as some lawyers may be of a different opinion from those whom I have consulted; and as it is not likely that the practice, thus interrupted, will now be complied with as a prescription; I think it necessary to propose, that the price of a soldier's diet be more explicitly ascertained, that no room may remain for future controversies.

Mr. SANDYS then rose, and spoke as follows:—Sir, I am very far from thinking the authority of these learned gentlemen, whose letters are produced, incontrovertible proof of the justness of an interpretation of an act of the senate, where that interpretation is not in itself warranted by reason, nor consistent with the preservation or enjoyment of property. Much less shall I agree to support their interpretation by a new law; or establish, by an act of the legislature, a kind of oppression, for which, how-

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ever tacitly submitted to, nothing could be pleaded hitherto but custom.

The burden, sir, of a standing army, is already too heavy to be much longer supported, nor ought we to add weight to it by new impositions; it surely much better becomes the representatives of the nation to attend to the complaints of their constituents; and where they are found to arise from real grievances, to contrive some expedient for alleviating their calamities.

A heavy and dreadful calamity, sir, lies now, in a particular manner, upon the people; the calamity of famine, one of the severest scourges of providence, has filled the whole land with misery and lamentation; and, surely, nothing can be more inhuman than to choose out this season of horrour for new encroachments on their privileges, and new invasions of the rights of nature, the dominion of their own houses, and the regulation of their own tables.

The honourable gentleman, sir, has mentioned places where provisions, as he says, are still to be bought at easy rates. For my part, I am fixed in no such happy corner of the kingdom; I see nothing but scarcity, and hear nothing but complaints; and shall, therefore, be very far from admitting now such methods of supporting the army, as were thought too burdensome in times of plenty; nor will combine in laying a new tax upon any class of my countrymen, when they are sinking under an enormous load of imposts, and in want of the necessaries of life.

Sir WILLIAM YONGE replied, in the manner following:—Sir, nothing is more easy than outcry and exaggeration; nor any thing less useful for the discovery of truth, or the establishment of right. The most necessary measures may often admit of very florid exclamations against them, and may furnish very fruitful topicks of invective.

When our liberties, sir, are endangered, or our country invaded, it may be very easy, when it is proposed that we should have recourse to our swords for security, to bewail, in pathetick language, the miseries of war, to describe the desolation of cities, the waste of kingdoms, the insolence of victory, and the cruelty of power inflamed by hostilities.

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Yet to what will those representations contribute, but to make that difficult which yet cannot be avoided, and embarrass measures which must, however, be pursued.

Such, sir, appear to me to be the objections made to the methods now proposed of providing necessaries for the soldiers; methods not eligible for their own sake, but which ought not to be too loudly condemned, till some better can be substituted; for why should the publick be alarmed with groundless apprehensions? or why should we make those laws which our affairs oblige us to enact, less agreeable to the people by partial representations?

In the discussion of this question, sir, is to be considered whether soldiers are to be supported, and whether it will be more proper to maintain them by the method of ascertaining the rates at which they are to be supplied, or by increasing their pay.

One of these two ways it is necessary to take; the provisions are already fixed at as high a price as their pay will allow; if, therefore, they are expected to pay more, their wages must be increased.

For my part, I shall comply with either method; though I cannot but think it my duty to declare, that, in my opinion, it is safer to fix the price of provisions, which must sink in their value, than to raise the pay of the army, which may never afterwards be reduced.

Mr. GYBBON then spoke, to this effect:—Sir, I agree with the honourable gentleman, that if soldiers are necessary, we must make provision for their support. This is indisputably certain; but it is no less certain, that where soldiers are necessary, restraints and regulations are necessary likewise, to preserve those from being insulted and plundered by them, who maintain them for the sake of protection.

The usefulness, sir, of this caution seems not to be known, or not regarded, by the gentleman whose proposal gave occasion to this debate; for, by enacting laws in general terms, as he seems to advise, we should leave the unhappy innkeeper wholly at the mercy of his guests, who might plunder and insult him under the protection of the

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legislature, might riot, as in a conquered country, and say, "To this treatment you are subjected by the determination of the senate."

The unhappy man, sir, could have no prospect, either of quiet or safety, but by gratifying all the expectations of his masters; returning civilities for insolence, and receiving their commands with the same submission that is paid in capitulating towns to the new garrison.

If it be necessary to ascertain the price, is it not necessary, at the same time, to ascertain the species and quantity of provisions to be allowed for it? Is a soldier to fatten on delicacies, and to revel in superfluities, for fourpence a-day? Ought not some limits to be set to his expectations, and some restraints prescribed to his appetite? Is he to change his fare, with all the capriciousness of luxury, and relieve, by variety, the squeamishness of excess?

Such demands as these, sir, may be thought ludicrous and trifling, by those who do not reflect on the insolence of slaves in authority, who do not consider that the license of a military life is the chief inducement that brings volunteers into the army; an inducement which would, indeed, make all impresses superfluous, were this proposal to be adopted: for how readily would all the lazy and voluptuous engage in a state of life which would qualify them to live upon the labour of others, and to be profuse without expense?

Our army may, by this method, be increased; but the number of those by whom they are to be maintained, must quickly diminish: for, by exaction and oppression, the poorer innkeepers must quickly become bankrupts; and the soldiers that lose their quarters, must be added to the dividend allotted to the more wealthy, who, by this additional burden will soon be reduced to the same state, and then our army must subsist upon their pay, because they will no longer have it in their power to increase it by plunder.

It will then be inevitably necessary to divide the army from the rest of the community, and to build barracks for

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their reception; an expedient which, though it may afford present ease to the nation, cannot be put in practice without danger to our liberties.

The reason, for which so many nations have been enslaved by standing armies, is nothing more than the difference of a soldier's condition from that of other men. Soldiers are governed by particular laws, and subject to particular authority; authority which, in the manner of its operation, has scarcely any resemblance of the civil power. Thus, they soon learn to think themselves exempt from all other laws; of which they either do not discover the use, and, therefore, easily consent to abolish them; or envy the happiness of those who are protected by them, and so prevail upon themselves to destroy those privileges which have no other effect, with regard to them, but to aggravate their own dependence.

These, sir, are the natural consequences of a military subjection; and if these consequences are not always speedily produced by it, they must be retarded by that tenderness which constant intercourse with the rest of the nation produces, by the exchange of reciprocal acts of kindness, and by the frequent inculcation of the wickedness of contributing to the propagation of slavery, and the subversion of the rights of nature; inculcations which cannot be avoided by men who live in constant fellowship with their countrymen.

But soldiers, shut up in a barrack, excluded from all conversation with such as are wiser and honester than themselves, and taught that nothing is a virtue but implicit obedience to the commands of their officer, will soon become foreigners in their own country, and march against the defenders of their constitution, with the same alacrity as against an army of invaders ravaging the coasts; they will lose all sense of social duty, and of social happiness, and think nothing illustrious but to enslave and destroy.

So fatal, sir, will be the effects of an establishment of barracks, or petty garrisons, in this kingdom; and, therefore, as barracks must be built when innkeepers are ruined, and our concurrence with this proposal must produce their

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ruin, I hope it will not be necessary to prove by any other argument, that the motion ought to be rejected.

Mr. PELHAM spoke next, in terms to this purpose:—Sir, though I am not inclined, by loud exaggerations and affected expressions of tenderness, to depress the courage or inflame the suspicions of the people, to teach them to complain of miseries which they do not feel, or ward against ill designs, which were never formed, yet no man is more really solicitous for their happiness, or more desirous of removing every real cause of fear and occasion of hardships.

This affection to the people, an affection steady, regular, and unshaken, has always prompted me to prefer their real to their seeming interest, and rather to consult the security of their privileges than the gratification of their passions; it has hitherto determined me to vote for such a body of troops, as may defend us against sudden inroads and wanton insults, and now incites me to propose that some efficacious method may be struck out for their support, without exasperating either the soldiers or their landlords by perpetual wrangles, or adding to the burden of a military establishment the necessity of contentions in courts of law.

I know not with what view those have spoken, by whom the proposal first made has been opposed; they have, indeed, produced objections, some of which are such as may be easily removed, and others such as arise from the nature of things, and ought not, therefore, to be mentioned, because they have no other tendency than to inflame the minds of those that hear them against an army, at a time when it is allowed to be necessary, and prove only what was never denied, that no human measures are absolutely perfect, and that it is often impossible to avoid a greater evil, but by suffering a less.

The question before us, sir, is in its own nature so simple, so little connected with circumstances that may distract our attention, or induce different men to different considerations, that when I reflect upon it, I cannot easily conceive by what art it can be made the subject of long

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harangues, or how the most fruitful imagination can expatiate upon it.

It is already admitted that an army is necessary; the pay of that army is already established; the accidental scarcity of forage and victuals is such, that the pay is not sufficient to maintain them; how then must the deficiency be supplied? It has been proposed, either to fix the price of provisions with respect to them, or to advance their wages in some proportion to the price of provisions. Both these methods seem to meet with disapprobation, and yet the army is to be supported.

Those who reason thus, do surely not expect to be answered, or at least expect from a reply no other satisfaction than that of seeing the time of the session wasted, and the administration harassed with trivial delays; for what can be urged with any hope of success to him who will openly deny contradictory propositions, who will neither move nor stand still, who will neither disband an army nor support it?

Whether these gentlemen conceive that an army may subsist without victuals till the time of scarcity is over, or whether they have raised those forces only to starve them, I am not sagacious enough to conjecture, but shall venture to observe, that if they have such a confidence in the moderation and regularity of the soldiers, as to imagine that they will starve with weapons in their hands, that they will live within the sight of full tables, and languish with hunger, and perish for want of necessaries, rather than diminish the superfluities of others, they ought for ever to cease their outcries about the licentiousness, insolence, and danger of a standing army.

But, not to sink into levity unworthy of this assembly, may I be permitted to hint that these arts of protracting our debates, are by no means consistent with the reasons for which we are assembled, and that it is a much better proof, both of ability and integrity, to remove objections, than to raise them, and to facilitate, than to retard, the business of the publick.

The proposal made at first was only to elucidate a law

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which had been regularly observed for fifty years, and to remove such ambiguities as tended only to embarrass the innholders, not to relieve them.

To this many objections have been made, and much declamation has been employed to display the hardships of maintaining soldiers, but no better method has been yet discovered, nor do I expect that any will be started not attended with greater difficulties.

In all political questions, questions too extensive to be fully comprehended by speculative reason, experience is the guide which a wise man will follow with the least distrust, and it is no trivial recommendation of the present method, that it has been so long pursued without any formidable inconvenience or loud complaints.

Hardships, even when real, are alleviated by long custom; we bear any present uneasiness with less regret, as we less remember the time in which we were more happy: at least, by long acquaintance with any grievance we gain this advantage, that we know it in its whole extent, that it cannot be aggravated by our imagination, and that there is no room for suspecting that any misery is yet behind more heavy than that which we have already borne.

Such is the present state of the practice now recommended to this assembly, a practice to which the innkeepers have long submitted, and found it at least tolerable, to which they knew themselves exposed when they took out a license for the exercise of that profession, and which they consider as a tax upon them, to be balanced against the advantages which they expect from their employment.

This tax cannot be denied at present to be burdensome in a very uncommon degree, but this weight has not been of long continuance, and it may be reasonably hoped that it will now be made every day lighter. It is, indeed, true, that no unnecessary impositions ought to be laid upon the nation even for a day; and if any gentleman can propose a method by which this may be taken off or alleviated, I shall readily comply with his proposal, and concur in the establishment of new regulations.

With regard to barracks, I cannot deny that they are

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justly names of terrour to a free nation, that they tend to make an army seem part of our constitution, and may contribute to infuse into the soldiers a disregard of their fellow-subjects, and an indifference about the liberties of their country; but I cannot discover any connexion between a provision for the support of soldiers in publick-houses, in a state of constant familiarity with their countrymen, and the erection of barracks, by which they will be, perhaps for ever, separated from them, nor can discover any thing in the method of supporting them now recommended that does not tend rather to the promotion of mutual good offices, and the confirmation of friendship and benevolence.

The advocate CAMPBELL next spoke, in substance as follows:—Sir, whence the impropriety of raising objections to any measures that are proposed is imagined to arise I am unable to discover, having hitherto admitted as an incontrovertible opinion, that it is the duty of every member of this assembly to deliver, without reserve, his sentiments upon any question which is brought before him, and to approve or censure, according to his conviction.

If it be his duty, sir, to condemn what he thinks dangerous or inconvenient, it seems by no means contrary to his duty, to show the reason of his censure, or to lay before the house those objections which he cannot surmount by his own reflection. It certainly is not necessary to admit implicitly all that is asserted; and to deny, or disapprove without reason, can be no proof of duty, or of wisdom; and how shall it be known, that he who produces no objections, acts from any other motives, than private malevolence, discontent, or caprice?

Nor is it, sir, to be imputed as a just reason for censure to those who have opposed the motion, that no other measures have been offered by them to the consideration of the committee. It is necessary to demolish a useless or shattered edifice, before a firm and habitable building can be erected in its place: the first step to the amendment of a law is to show its defects; for why should any alteration be made where no inconveniency is discovered?

To the chief objection that was offered, no answer has

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yet been made, nor has the assembly been informed how the innkeeper shall be able to discover when he has paid the tax which this law lays upon him. This is, indeed, a tax of a very particular kind, a tax without limits, and to be levied at the discretion of him for whose benefit it is paid. Soldiers quartered upon these terms, are more properly raising contributions in an enemy's country, than receiving wages in their own.

Is it intended, by this motion, that the innkeepers shall judge what ought to be allowed the soldier for his money? I do not see, then, that any alteration is proposed in the present condition of our army; for who has ever refused to sell them food for their money at the common price, or what necessity is there for a law to enforce a practice equally to the advantage of all parties? If it be proposed that the soldier shall judge for himself, that he shall set what value he shall think fit on his own money, and that he shall be at once the interpreter and executioner of this new law, the condition of the innkeeper will then be such as no slave in the mines of America can envy, and such as he will gladly quit for better treatment under the most arbitrary and oppressive government.

Nor will the insolence of the soldier, thus invested with unlimited authority, thus entitled to implicit obedience, and exalted above the rest of mankind, by seeing his claim only bounded by his own moderation, be confined to his unhappy landlord. Every guest will become subject to his intrusion, and the passenger must be content to want his dinner, whenever the lord of the inn shall like it better than his own.

That these apprehensions, sir, are not groundless, may be proved from the conduct of these men, even when the law was not so favourable to their designs; some of them have already claimed the sole dominion of the houses in which they have been quartered, and insulted persons of very high rank, and whom our ancient laws had intended to set above the insults of a turbulent soldier. They have seen the provisions which they had ordered taken away by force, partly, perhaps, to please the appetite of the invader, and partly to gratify his insolence, and give him an

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opportunity of boasting among his comrades, how successfully he blustered.

If it be necessary, sir, to insert a new clause in the act to prevent lawsuits, which, however advantageous they may sometimes be to me, I shall always be ready to obviate, it is surely proper to limit the claim of one party as well as that of the other, for how else is the ambiguity taken away? The difficulty may be, indeed, transferred, but is by no means removed, and the innkeeper must wholly repose himself upon the lenity and justice of the soldier, or apply to the courts of law for the interpretation of the act.

The question before us is said to be so free from perplexity, that it can scarcely give occasion for harangues or disputations; and, indeed, it cannot but be allowed, that the controversy may soon be brought to a single point, and I think nothing more is necessary than to inquire, if innholders shall be obliged to provide victuals for soldiers at a stated price, what, and how much the soldier shall demand.

The power of raising money at pleasure, has been hitherto denied to our kings, and surely we ought not to place that confidence in the lowest, that has been refused to the most exalted of mankind, or invest our soldiers with power, which neither the most warlike of our monarchs could constrain us, nor the most popular allure us to grant.

The power now proposed to be granted, is nothing less than the power of levying money, or what is exactly equivalent, the power of raising the money in their own hands, to any imaginary value. A soldier may, if this motion be complied with, demand for a penny, what another man must purchase at forty times that price. While this is the state of our property, it is surely not very necessary to raise armies for the defence of it; for why should we preserve it from one enemy only to throw it into the hands of another, equally rapacious, equally merciless, and only distinguished from foreign invaders by this circumstance, that he received from our own hands the authority by which he plunders us.

Having thus evinced the necessity of determining the

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soldier's privileges, and the innkeeper's rights, I think it necessary to recommend to this assembly an uncommon degree of attention to the regulation of our military establishment, which is become not only more burdensome to our fellow-subjects by the present famine, but by the increase of our forces; an increase which the nation will not behold without impatience, unless they be enabled to discern for what end they have been raised.

The people of this nation are, for very just reasons, displeased, even with the appearance of a standing army, and surely it is not prudent to exasperate them, by augmenting the troops in a year of famine, and giving them, at the same time, new powers of extortion and oppression.

Mr. WINNINGTON spoke to this purpose:—Sir, I have heard nothing in this debate, but doubts and objections, which afford no real information, nor tend to the alleviation of those grievances, which are so loudly lamented.

It is not sufficient to point out inconveniencies, or to give striking representations of the hardships to which the people are exposed; for unless some better expedient can be proposed, or some method discovered by which we may receive the benefits, without suffering the disadvantages of the present practice, how does it appear that these hardships, however severe, are not inseparable from our present condition, and such as can only be removed by exposing ourselves to more formidable evils?

As no remedy, sir, has been proposed by those who appear dissatisfied with the present custom, it is reasonable to imagine that none will be easily discovered; and, therefore, I cannot but think it reasonable that the motion should be complied with. By it no new imposition is intended, nor any thing more than the establishment of a practice which has continued for more than fifty years, and never, except on two occasions, been denied to be legal. It is only proposed that the senate should confirm that interpretation of the act which has been almost universally received; that they should do what can produce no disturbance, because it will make no alterations; but

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may prevent them, because it may prevent any attempts of innovation, or diversity of opinions.

Sir JOHN BARNARD spoke next, to the following effect:—Sir, whether the interpretation of the act which is now contended for, has been universally admitted, it is impossible to know; but it is at least certain, that the practice which is founded upon it, has in many places never been followed, nor, indeed, can it be made general without great impropriety.

Many of those, sir, who are styled keepers of publick-houses, and on whom soldiers are quartered under that denomination, have no conveniency of furnishing provisions, because they never sell them; such are many of the keepers of livery stables, among whom it is the common method to pay soldiers a small weekly allowance, instead of lodging them in their houses, a lodging being all which they conceive themselves obliged to provide, and all that the soldiers have hitherto required; nor can we make any alteration in this method without introducing the license and insolence of soldiers into private houses; into houses hitherto unacquainted with any degree of riot, incivility, or uproar.

The reason for which publick-houses are assigned for the quarters of soldiers, is partly the greater conveniency of accommodating them in families that subsist by the entertainment of strangers, and partly the nature of their profession, which, by exposing them to frequent encounters with the rude and the debauched, enables them either to bear or repress the insolence of a soldier.

But with regard, sir, to the persons whom I have mentioned, neither of these reasons have any place; they have not, from their daily employment, any opportunities of furnishing soldiers with beds or victuals, nor, by their manner of life, are adapted to support intrusion or struggle with perverseness. Nor can I discover why any man should force soldiers into their houses, who would not willingly admit them into his own.

Mr. COCKS spoke to this effect:—Sir, the practice

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mentioned by the honourable gentleman, I know to be generally followed by all those that keep alehouses in the suburbs of this metropolis, who pay the soldiers billeted on them a composition for their lodging, nor ever see them but when they come to receive it; so far are they from imagining that they can claim their whole subsistence at any stated price.

It is apparent, therefore, that by admitting this motion, we should not confirm a law already received, but establish a new regulation unknown to the people; that we should lay a tax upon the nation, and send our soldiers to collect it.

General WADE rose, and spoke to this purpose:—Sir, I have been long conversant with military affairs; and, therefore, may perhaps be able to give a more exact account, from my own knowledge, of the antiquity and extent of this practice, than other gentlemen have had, from their way of life, an opportunity of obtaining.

It was, sir, in the reign of king William, the constant method by which the army was supported, as may be easily imagined by those who reflect, that it was common for the soldiers to remain for eight or ten months unpaid, and that they had, therefore, no possibility of providing for themselves the necessaries of life. Their pay never was received in those times by themselves, but issued in exchequer bills for large sums, which the innkeepers procured to be exchanged and divided among themselves, in proportion to their debts.

Such was the practice, sir, in that reign, which has been generally followed to this time, and the rates then fixed have not since been changed; and as no inconveniency has arisen from this method, I can discover no reason against confirming and continuing it.

Mr. PULTENEY spoke next, in the manner following:—Sir, those that have spoken in defence of the motion, have accused their opponents, with great confidence, of declaiming without arguments, and of wasting the time of the session in a useless repetition of objections.

I do not, indeed, wonder that the objections which have

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been raised should have given some disgust, for who can be pleased with hearing his opponent produce arguments which he cannot answer? But surely the repetitions may be excused; for an objection is to be urged in every debate till it is answered, or is discovered to be unanswerable.

But what, sir, have those urged in defence of their own opinions, who so freely animadvert upon the reasonings of others? What proofs, sir, have they given of the superiority of their own abilities, of the depth of their researches, or the acuteness of their penetration?

They have not produced one argument in favour of their motion, but that it is founded on custom; they have not discovered, however wise and sagacious, that it is always necessary to inquire whether a custom be good or bad; for surely without such inquiry no custom ought to be confirmed.

The motion which they would support, is, indeed, useless in either case, for a good custom will continue of itself, and one that is bad ought not to be continued. It is the business of the legislature to reform abuses, and eradicate corruptions, not to give them new strength by the sanction of a law.

It has been urged, sir, that the law in reality exists already; that the act has been interpreted in this sense by the attorney general; and that his interpretation is generally received. This is then the state of the question: if the practice, founded upon this sense of the act, generally prevails, there is no need of a new clause to enforce what is already complied with; if it does not prevail, all that has been urged in defence of the motion falls to the ground.

I do not doubt, sir, that this custom has been received without many exceptions, and therefore think it ought still to remain a custom, rather than be changed into a law; because it will be complied with as a custom, where there are no obstacles to the observation of it; and it ought not to be enforced by law, where it is inconvenient and oppressive.

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While the soldier, sir, is moderate in his demands, and peaceable and modest in his behaviour, the innkeeper will cheerfully furnish him even more than he can afford at the stated price; and certainly, rudeness, insolence, and unreasonable expectations, may justly be punished by the forfeiture of some conveniencies. Thus, sir, the innkeeper will preserve some degree of authority in his own house, a place where the laws of nature give every man dominion, and the soldier will continue a regular and inoffensive member of civil society.

The absurdity of leaving the soldier at large in his demands, and limiting the price which the innkeeper is to require, has been already exposed beyond the possibility of reply; nor, indeed, has the least attempt been made to invalidate this objection; for it has been passed in silence by those who have most zealously espoused the motion.

The account given by the honourable gentleman of the reason for which this regulation was first introduced in the reign of king William, is undoubtedly just; but it proves, sir, that there is no necessity of continuing it; for the soldiers are now constantly paid, and therefore need not that assistance from the innkeeper, which was absolutely requisite when they were sometimes six months without money.

It has been urged, sir, with great importunity and vehemence, that some expedient should be proposed in the place of this, which so many gentlemen who have spoken on this occasion seem inclined to reject, and which, indeed, cannot be mentioned without contempt or abhorrence. That the soldiers should know, as well as their landlord, their own rights, is undoubtedly just, as well as that they should have some certain means of procuring the necessaries of life; it may, therefore, be proper to enact, that the innkeeper shall either furnish them with diet at the established rates, or permit them to dress the victuals which they shall buy for themselves, with his fire and utensils, and allow them candles, salt, vinegar, and pepper. By this method the soldiers can never be much injured by the incivility of their landlord, nor can the innkeeper be subjected to arbitrary demands. The soldier

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will still gain, by decency and humanity, greater conveniencies than he can procure for himself by his pay alone, and all opportunities of oppression on either side will, in a great measure, be taken away.

I cannot but express my hopes that this method will be generally approved. Those that have opposed the establishment of an army will be pleased to see it made less grievous to the people; and those that have declared in its favour, ought surely to adopt, without opposition, any measures, by the pursuit of which it may be borne with fewer complaints, and less reluctance.

[The consideration of this question was deferred, and the chairman having moved for leave to sit again, it was resolved to proceed on this business upon the next day but one, in a committee of the whole house.]

HOUSE OF COMMONS, MARCH 15, 1740-1.

The order of the day being read for the house to resolve itself into a committee of the whole house, to consider the bill for punishing mutiny and desertion, and the better paying the army and their quarters,

Sir WILLIAM YONGE spoke, in substance as follows:—Sir, the last day which was assigned to the consideration of this bill, was spent in long altercations, in vague and unnecessary disquisitions, in retrospective reflections upon events long past, and in aggravating of grievances that may never happen; much sagacity was exerted, and much eloquence displayed, but no determination was attained, nor even that expedient examined, by which those objections might be removed which appeared so important, or those dangers obviated which were represented so formidable and so near.

I hope, sir, part of the time which has intervened between that debate and the present day, has been employed

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by the gentlemen, whose scruples were so numerous, and whose caution is so vigilant, in contriving some methods of maintaining the army without oppressing the victuallers, and of providing for our defence against foreign enemies without subjecting us to the evils of discontent and disaffection, which they impute to the present state of the military establishment.

To object for ever, and to advance nothing, is an easy method of disputation upon any question, but contributes very little to the increase of knowledge: an artful and acute objector may confound, and darken, and disturb, but never assists inquiry, or illustrates truth.

In political questions, sir, it is still more easy and less ingenuous; for all political measures are in some degree right and wrong at the same time: to benefit some they very frequently bear hard upon others, and are, therefore, only to be approved or rejected as advantages appear to overbalance the inconveniencies, or the inconveniencies to outweigh the advantages.

It is, sir, the proper province of a senator to promote, not to obstruct the publick counsels; and when he declares his disapprobation of any expedient, to endeavour to substitute a better: for how can he be said to sustain his part of the general burden of publick affairs, who lays others under the necessity of forming every plan, and inventing every expedient, and contents himself with only censuring what he never endeavours to amend?

That every man, who is called forth by his country to sit here as the guardian of the publick happiness, is obliged, by the nature of his office, to propose, in this assembly, whatever his penetration or experience may suggest to him as advantageous to the nation, I doubt not but all that hear me are sufficiently convinced; and, therefore, cannot but suppose that they have so far attended to their duty, as to be able to inform us how the present inconveniencies of this bill may be remedied, and its defects supplied.

To show, sir, at least my inclination to expedite an affair so important, I shall lay before the house an amendment that I have made to the clause, pursuant to a hint

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offered the last day by an honourable member, "That all innholders, victuallers, etc. shall be obliged to furnish soldiers with salt, vinegar, small beer, candles, fire, and utensils to dress their victuals, and so doing shall not be obliged to supply the troops with provisions, except on a march."

I am far, sir, from thinking the clause, as it will stand after this amendment, complete and unexceptionable, being conscious that some articles in it may require explanation. The quantity of small beer to be allowed to each soldier must necessarily be ascertained, in order to prevent endless and indeterminable disputes; for one man, sir, may demand a greater quantity than another, and a man may be prompted by malice or wantonness to demand more than health requires; it will, therefore, be proper to limit the quantity which must be furnished, that neither the soldier may suffer by the avarice of his landlord, nor the landlord be oppressed by the gluttony of the soldier.

With regard to this question, sir, I expect to find different opinions in this assembly, which every man is at liberty to offer and to vindicate; and I shall take this opportunity of proposing on my part, that every man may have a daily allowance of three quarts. One quart to each meal may be allowed in my opinion to be sufficient, and sure no gentleman can imagine that by this limitation much superfluity is indulged.

There are some parts, sir, of this kingdom, in which cider is more plentiful, and cheaper than small beer; consequently, it may be for the ease of the victualler to have the choice allowed him of furnishing one or the other; it will, therefore, be a very proper addition to this clause, that the innkeepers shall allow the soldier, every day, three quarts of either small beer or cider.

That penal sanctions, sir, are essential to laws, and that no man will submit to any regulations inconvenient to himself, but that he may avoid some heavier evil, requires not to be proved; and, therefore, to complete this clause, I propose that the victualler who shall neglect or refuse to observe it, shall be subject to some fine for his non-compliance.

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Mr. PELHAM spoke to this effect:—Sir, I cannot omit this opportunity of observing how much the burden of the army is diminished by the judicious regulations invariably observed in the late reigns, and how little the assignment of troops is to be dreaded by the victualler.

In the reign of king William, sir, before funds were established, while the credit of the government was low, the measures of the court were often obviated or defeated by the superiority of the discontented party, and the supplies denied which were necessary to support them, and in expectation of which they had been undertaken, it was not uncommon for the towns in which the troops were stationed, to murmur at their guests; nor could they be charged with complaining without just reasons: for to quarter soldiers upon a house, was in those days little less than to send troops to live at discretion.

As all supplies, sir, were then occasional and temporary, and nothing was granted but for the present exigence, the prevalence of the opposition, for a single session, embarrassed all the measures of the court in the highest degree; their designs were at a stand, the forces were unpaid, and they were obliged to wait till another session for an opportunity of prosecuting their schemes.

Thus, sir, the soldiers were sometimes five months without their pay, and were necessarily supported by the innkeeper at his own expense, with how much reluctance and discontent I need not mention. It cannot but be immediately considered, upon hearing this account of the soldier's condition, with how many reproaches he would receive his victuals, how roughly he would be treated, how often he would be insulted as an idler, and frowned upon as an intruder. Nor can it be imagined that such affronts, however they might be provoked, would be borne without return, by those who knew themselves not the authors of the provocation, and who thought themselves equal sufferers with those who complained. When the innkeeper growled at the soldier, the soldier, it may be supposed, seldom failed to threaten or to plunder the innkeeper, and to rise in his demands as his allowance was retrenched.

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Thus, sir, the landlord and his guest were the constant enemies of each other, and spent their lives in mutual complaints, injuries, and insults.

But by the present regularity of our military establishment, this great evil is taken away; as the soldier requires no credit of the victualler, he is considered as no great incumbrance on his trade; and being treated without indignities, like any other member of the community, he inhabits his quarters without violence, insolence, or rapacity, and endeavours to recommend himself by officiousness and civility.

In the present method of payment, sir, the troops have always one month's pay advanced, and receive their regular allowance on the stated day; so that every man has it in his power to pay his landlord every night for what he has had in the day; or if he imagines himself able to procure his own provisions at more advantage, he can now go to market with his own money.

It appears, therefore, to me, sir, that the amendment now proposed is the proper *mean* between the different interests of the innkeeper and soldier; by which neither is made the slave of the other, and by which we shall leave, to both, opportunities of kindness, but take from them the power of oppression.

Mr. CAREW next spoke as follows:—Sir, the amendment now offered is not, in my opinion, so unreasonable or unequitable as to demand a warm and strenuous opposition, nor so complete as not to be subject to some objections; objections which, however, may be easily removed, and which would, perhaps, have been obviated, had they been foreseen by the gentleman who proposed it.

The allowance, sir, of small liquors proposed, I cannot but think more than sufficient; three quarts a-day are surely more than the demands of nature make necessary, and I know not why the legislature should promote, or confirm in the soldiery, a vice to which they are already too much inclined, the habit of tippling.

The innkeeper, sir, will be heavily burdened by the obligation to supply the soldier with so many of the neces-

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saries of life without payment; and, therefore, it may be justly expected by him, that no superfluities should be enjoyed at his expense.

But there remains another objection, sir, of far more importance, and which must be removed before this clause can be reasonably passed into a law. It is not declared, or not with sufficient perspicuity, that it is to be left to the choice of the innkeeper, whether he will furnish the soldier with provisions at fourpence a-day, or with the necessaries enumerated in the clause for nothing. If it is to be left to the choice of the soldier, the victualler receives no relief from the amendment, to whose option, since he must suffer in either case, it ought to be referred, because he only can tell by which method he shall suffer least.

Mr. CORNWALL spoke in the manner following:—Sir, it is not without the greatest diffidence that I rise to oppose the gentleman who offered the amendment; for his abilities are so far superiour to mine, that I object without hope of being able to support my objection, and contend with an absolute certainty of being overcome. I know not whether it may be allowed me to observe, that the difference between our faculties is, with regard to strength and quickness, the same as between the cider of his county and that of mine, except that in one part of the parallel the advantage is on our side, and in the other on his.

The cider, sir, of our county is one of our most valuable commodities; so much esteemed in distant places, that our merchants often sell it by the bottle, for more than the soldier has to give for the provision of a day; and of such strength, that I, who am accustomed to the use of it, never was able to drink three quarts in any single day.

If, therefore, sir, the soldier is to have three quarts of this cider, when small beer is not easily to be procured, not only the innkeeper, but the army will be injured; for what greater harm can be done to any man, than to initiate him in a habit of intemperance? and what outrages and insolencies may not be expected from men trusted with

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swords, and kept, from day to day, and from month to month, in habitual drunkenness by a decree of the senate?

Sir WILLIAM YONGE replied to this purpose:—Sir, I know not why the gentleman has thought this a proper opportunity for displaying his eloquence in the praise of his own cider. That he loves his own county cannot be wondered, for no passion is more universal, and few less to be censured; but he is not to imagine that the produce of his native soil will be generally allowed to excel that of other counties, because early habits have endeared it to him, and familiarized it to his particular palate.

The natives of every place prefer their own fruits and their own liquor, and, therefore, no inference can be drawn from approbation so apparently partial. From this prejudice I am far from suspecting myself free, nor am desirous or industrious to overcome it: neither am I afraid of exposing myself to all the censure that so innocent a prepossession may bring upon me, by declaring that, in my opinion, the cider of my native county is of equal excellence with that which this gentleman has so liberally extolled.

Mr. CORNWALL answered to the following effect:—Sir, how little I expect victory in this controversy I have already declared, and I need not observe of how small importance it is what soil produces cider of the greatest excellence and value; since, if there be other places where the cider is equally esteemed, and purchased at the same rate, it is yet more necessary to provide, by some exception, that the soldier shall not be entitled to demand, of the victualler, liquor to more than thrice the value of his pay, nor be allowed to revel in continual drunkenness, and to corrupt his morals, and enervate his limbs by incessant debauchery.

But since, sir, the preference due to the cider of my county has been denied, in my opinion, with great partiality and injustice, I think myself obliged, by all the laws of honour and gratitude, to stand up once more to vindicate its superiority, and assert its value.

The laws of honour, sir, require this from me, as they

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oblige every man to stand forth a vindicator of merit slighted and oppressed; and gratitude calls loudly upon me to exert myself in the protection of that to which I have been often indebted for a pleasing suspense of care, and a welcome flow of spirit and gaiety.

The cider, sir, which I am now rescuing from contemptuous comparisons, has often exhilarated my social hours, enlivened the freedom of conversation, and improved the tenderness of friendship, and shall not, therefore, now want a panegyrist. It is one of those few subjects on which an encomiast may expatiate without deviating from the truth.

Would the honourable gentleman, sir, who has thus vilified this wonder-working nectar, but honour my table with his company, he would quickly be forced to retract his censures; and, as many of his countrymen have done, confess that nothing equal to it is produced in any other part of the globe; nor will this confession be the effect of his regard to politeness, but of his adherence to truth.

Of liquor like this, sir, two quarts is, undoubtedly, sufficient for a daily allowance, in the lieu of small beer; nor ought even that to be determined by the choice of the soldier, but of the innkeeper, for whose benefit this clause is said to be inserted, and from whose grievances I hope we shall not suffer our attention to be diverted by any incidental questions, or ludicrous disputes.

Mr. GORE then spoke to the following effect:—Sir, that the allowance of two quarts a-day is sufficient, and that to demand more is a wanton indulgence of appetite, is experimentally known, and, therefore, no more ought to be imposed upon the innkeeper.

Nor is this, sir, the only part of the clause that requires our consideration; for some of the other particulars to be provided by the victualler, may easily furnish perverse tempers with an opportunity of wrangling: vinegar is not to be had in every part of the kingdom, and, where it cannot be procured, ought not to be required; for neither reason nor experience will inform us that vinegar ought to be ranked among the necessaries of life.

Sir WILLIAM YONGE made the following reply:—Sir,

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by the alteration now made in the clause, the innkeepers are effectually relieved from a great part of the burden which, in my opinion, this act has hitherto laid upon them; the necessity of furnishing the soldiers quartered upon them, with provisions at the stated price, whatever might be the scarcity of the season or of the country. That this was the intention of the act, is asserted by those whose reputation and promotion are sufficient evidences of their ability in the interpretation of our laws.

The innkeeper may now either accept or refuse the limited price, as it shall appear to him most consistent with his interest; nor will there be, for the future, any room for murmuring at unreasonable demands, since he may oblige that soldier whom he cannot satisfy, to please himself better at his own expense.

The choice of the liquor is, likewise, wholly referred to the innkeeper; for the words in the clause requiring that he shall furnish three quarts of small beer or cider, he complies, indisputably, with the law by supplying either; and, therefore, the value of cider in any particular county is not of much importance in the question before us; if cider be more valuable than small beer, it may be withheld; if it be cheaper, it may be substituted in its place; so that the innkeeper has nothing to consult but his own interest.

That this is the meaning of the clause, is, I suppose, obvious to every man that hears it read; and, therefore, I see no reason for any alterations, because I know not any effect which they can possibly have, except that of obscuring the sense which is now too clear to be mistaken.

Sir JOHN BARNARD spoke next, to the effect following:—Sir, though it should be granted, that the clause before us is intelligible to every member of this assembly, it will not certainly follow, that there is no necessity of farther elucidations; for a law very easily understood by those who make it, may be obscure to others who are less acquainted with our general intention, less skilled in the niceties of language, or less accustomed to the style of laws.

It is to be considered, that this law will chiefly affect a

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class of men very little instructed in literature, and very unable to draw inferences; men to whom we often find it necessary, in common cases, to use long explanations, and familiar illustrations, and of whom it may be not unreasonably suspected, that the same want of education, which makes them ignorant, may make them petulant, and at once incline them to wrangle, and deprive them of the means of deciding their controversies.

That both innholders and soldiers are, for the greatest part, of this rank and temper, I suppose, sir, every gentleman knows, from daily observation; and, therefore, it will, I hope, be thought necessary to descend to their understandings, and to give them laws in terms of which they will know the meaning; we shall, otherwise, more consult the interest of the lawyers than the innholders, and only, by one alteration, produce a necessity of another.

I am therefore desirous, sir, that all the difficulties which have been mentioned by every gentleman on this occasion, should be removed by clear, familiar, and determinate expressions; for what they have found difficult, may easily be, to an innholder or soldier, absolutely inexplicable.

I cannot but declare, while I am speaking on this subject, that in my opinion, two quarts of liquor will be a sufficient allowance. If we consider the demands of nature, more cannot be required; if we examine the expense of the innholder, he ought not to supply soldiers with a greater quantity for nothing. It is to be remembered, that small beer, like other liquors, is charged with an excise in publick-houses; and that two quarts will probably cost the landlord a penny, and as we cannot suppose that fire, candles, vinegar, salt, pepper, and the use of utensils, and lodging, can be furnished for less than threepence a-day, every soldier that is quartered upon a publick-house, may be considered as a tax of six pounds a-year—a heavy burden, which surely ought not to be aggravated by unnecessary impositions.

[The committee having gone through the bill, and settled the amendments, the chairman was ordered to make his report the next day.]

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HOUSE OF COMMONS, MARCH 16, 1740-1.

The report was read, and the amendments to the clauses in debate, which then ran thus:—

That the officers and soldiers to be quartered and billeted as aforesaid, shall be received, and furnished with diet and small beer by the owners of the inns, livery stables, alehouses, victualling-houses, etc. paying and allowing for the same the several rates mentioned.

Provided, that in case the innholder on whom any non-commission officers or soldiers shall be quartered, by virtue of this act, (except on a march,) shall be desirous to furnish such officers or soldiers with candles, vinegar, and salt, and with either small beer or cider, not exceeding three quarts for each man *a-day gratis*, and to allow them the use of fire, and the necessary utensils for dressing and eating their meat, and shall give notice of such his desire to the commanding officers, and shall furnish and allow them the same accordingly; then, and in such case, the non-commission officers and soldiers so quartered shall provide their own victuals; and the officer to whom it belongs to receive, or that does actually receive the pay and subsistence of such non-commission officers and soldiers, shall pay the several sums, payable out of the subsistence-money for diet and small beer, to the non-commission officers and soldiers aforesaid, and not to the innholder or other person on whom such non-commission officers or soldiers are quartered.

The question being put whether this clause should stand thus,

Mr. CAREW spoke to this effect:—Sir, though it may, perhaps, be allowed, that the circumstances of our present situation oblige us to support a more numerous army than in former years, surely no argument can be drawn from them that can show the necessity of a profuse allowance to our soldiers, or of gratifying their desires by the oppression of the innholders.

If, sir, the designs of our enemies are so malicious, and their power so formidable, as to demand augmentations of

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our troops, and additions to our natural securities, they ought, surely, to impress upon us the necessity of frugal measures, that no useless burdens may be imposed upon the people.

To furnish two quarts of beer, sir, every day for nothing, is, undoubtedly, an imposition sufficiently grievous; and I can, therefore, discover no reason for which an allowance of three should be established; a proposal injurious to the victualler, because it exacts more than he can afford to allow, and of no benefit to the soldier, because it offers him more than he can want.

Sir WILLIAM YONGE spoke next, to this purpose:—Sir, if it is an instance of misconduct to spend upon any affair more time than the importance of it deserves, I am afraid that the clause, to which our attention is now recalled, may expose us to censure, and that we may be charged with neglecting weighty controversies, and national questions, to debate upon trifles; of wasting our spirits upon subjects unworthy of contention; of defeating the expectations of the publick, and diverting our enemies rather than opposing them.

But, sir, as nothing has a more immediate tendency to the security of the nation than a proper establishment of our forces, and the regulation of their quarters is one of the most necessary and difficult parts of the establishment; it is requisite that we think no question of this kind too trivial for our consideration, since very dangerous disturbances have often been produced by petty disputes.

The quantity, sir, of small beer to be allowed by the victualler to those soldiers who shall provide their own victuals, was disputed yesterday, and, as I thought, agreed upon; but since this question is revived, I must take the opportunity to declare, that we ought not to assign less than three quarts a-day to each man; for it is to be remembered by those who estimate the demands by their own, how much their way of life is different from that of a common soldier, and how little he can be charged with wantonness and superfluity, for drinking more small liquor than themselves.

There are few members of this house, who do not, more

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than once a-day, drink tea, coffee, chocolate, or some other cooling and diluting infusion; delicacies which the soldier cannot purchase; to which he is entirely a stranger, and of which the place must be supplied by some other cheap and wholesome liquors.

If, sir, those gentlemen whose close attention to the interest of the innholder has, perhaps, abstracted them, in some degree, from any regard to the necessities of a soldier, will consent to allow him five pints a-day, I shall contend no longer; for though I cannot agree that it is a sufficient provision, yet, as other gentlemen, equally able to judge in this subject with myself, are of a different opinion, I shall show my regard for their sentiments by desisting from opposition.

Lord BALTIMORE spoke in substance as follows:—Sir, I am not able to discover any necessity of compromising this debate, by taking the mean between the two different opinions, or for denying to the soldiers what every labourer or serving-man would murmur to be refused for a single day.

I believe, sir, every gentleman, who examines the expense of his family, will find that each of his servants consumes daily at least three quarts of small beer, and surely it is not to be required that a soldier should live in a perpetual state of war with his constitution, and a constant inability to comply with the calls of nature.

General HANDASYD spoke to the following purpose:—Sir, the inclination shown by several gentlemen for a penurious and scanty provision for the soldiers, must, in my opinion, proceed from an inattentive consideration of their pay, and will, therefore, be removed, by laying before them an account of his condition, and comparing his daily pay with his daily expenses.

The whole pay of a foot soldier, sir, is sixpence a-day, of which he is to pay fourpence to his landlord for his diet, or, what is very nearly the same, to carry fourpence daily to the market, for which how small a supply of provisions he can bring to his quarters, especially in time of scarcity, I need not mention.

There remain then only twopence, sir, to be disbursed

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for things not immediately necessary for the preservation of life, but which no man can want without being despicable to others and burdensome to himself. Twopence a-day is all that a soldier has to lay out upon cleanliness and decency, and with which he is likewise to keep his arms in order, and to supply himself with some part of his cloathing. If, sir, after these deductions, he can, from twopence a-day, procure himself the means of enjoying a few happy moments in the year with his companions over a cup of ale, is not his economy much more to be envied than his luxury? Or can it be charged upon him that he enjoys more than his share of the felicities of life? Is he to be burdened with new expenses lest he should hoard up the publick money, stop the circulation of coin, and turn broker or usurer with twopence a-day?

I have been so long acquainted, sir, with the soldier's character, that I will adventure to secure him from the charge of avarice, and to promise that whatever he shall possess not necessary to life, he will enjoy to the advantage of his landlord.

Then the advocate CAMPBELL spoke in substance as follows:—Sir, I am far from intending to oppose this proposal of five pints, though, upon a rigorous examination, it might appear more than the mere wants of nature require; for I cannot but declare that this question has too long engaged the attention of the house, and that the representatives of a mighty nation beset with enemies, and encumbered with difficulties, seem to forget their importance and their dignity, by wrangling from day to day upon a pint of small beer.

I conceive the bill, which we are now considering, sir, not as a perpetual and standing law, to be interwoven with our constitution, or added to the principles of our government, but as a temporary establishment for the present year; an expedient to be laid aside when our affairs cease to require it; an experimental essay of a new practice, which may be changed or continued according to its success.

To allow, sir, five pints of small beer a-day to our sol-

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diers, for a single year, can produce no formidable inconveniency, and may, though it should not be entirely approved, be of less disadvantage to the publick, than the waste of another day.

[An alteration was made to five pints, instead of three quarts; and the bill, thus amended, was ordered to be engrossed, and a few days afterwards, being read a third time, was passed, and ordered to the lords, where it occasioned no debate.]

HOUSE OF COMMONS, APRIL 12, 1741.

A copy of his majesty's speech being read, Mr. CLUTTERBUCK rose, and spoke as follows:—

Sir, the present confusion in Europe, the known designs of the French, the numerous claims to the Austrian dominions, the armies which are levied to support them, and the present inability of the queen of Hungary to maintain those rights which descend to her from her ancestors, and have been confirmed by all the solemnities of treaties, evidently require an uncommon degree of attention in our consultations, and of vigour in our proceedings.

Whatever may be the professions of the French, their real designs are easily discovered, designs which they have carried on, either openly, or in private, for near a century, and which it cannot be expected that they will lay aside, when they are so near to success. Their view, sir, in all their wars and treaties, alliances and intrigues, has been the attainment of universal dominion, the destruction of the rights of nature, and the subjection of all the rest of mankind; nor have we any reason to imagine that they are not equally zealous for the promotion of this pernicious scheme, while they pour troops into Germany, for the assistance of their ally, as when they wasted kingdoms, laid cities in ashes, and plunged millions into misery and want, without any other motive than the glory of their king.

But the French are not the only nation at this time labouring for the subversion of our common liberties. Our

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liberties, sir, are endangered by those equally interested with ourselves in their preservation; for in what degree soever any of the princes who are now endeavouring to divide among themselves the dominions of Austria, may be pleased with the acquisition of new territories, and an imaginary increase of influence and power, it must be evident to all who are not dazzled by immediate interest, that they are only fighting for France, and that by the destruction of the Austrian family, they must in a short time fall themselves.

It is well known, sir, though it is not always remembered, that political as well as natural greatness is merely comparative, and that he only is a powerful prince, who is more powerful than those with whom he can have any cause of contention. That prince, therefore, who imagines his power enlarged by a partition of territories, which gives him some additional provinces, may be at last disappointed in his expectations: for, if this partition gives to another prince already greater than himself, an opportunity of increasing his strength in a degree proportionate to his present superiority, the former will soon find, that he has been labouring for nothing, and that his danger is still the same.

Such, sir, is the case of the king of Prussia, who, when he has overrun that part of Germany, to which he now lays claim, will only have weakened the house of Austria, without strengthening himself.

He is at present secure in the possession of his dominions, because neither the Austrians would suffer the French, nor the French permit the Austrians to increase their power by subduing him. Thus, while the present equipoise of power is maintained, jealousy and caution would always procure him an ally whenever he should be attacked; but when, by his assistance, the Austrian family shall be ruined, who shall defend him against the ambition of France?

While the liberties of mankind are thus equally endangered by folly and ambition, attacked on one side, and neglected on the other, it is necessary for those who foresee the calamity that threatens them, to exert themselves

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in endeavours to avert it, and to retard the fatal blow, till those who are now lulled by the contemplation of private advantage, can be awakened into a just concern for the general happiness of Europe, and be convinced that they themselves can only be secure by uniting in the cause of liberty and justice.

For this reason, sir, our sovereign has asserted the Pragmatick sanction, and promised to assist the queen of Hungary with the forces which former treaties have entitled her to demand from him; for this reason he has endeavoured to rouse the Dutch from their supineness, and excite them to arm once more for the common safety, to intimidate, by new augmentations, those powers whose ardour, perhaps, only subsists upon the confidence that they shall not be resisted, and to animate, by open declarations in favour of the house of Austria, those who probably are only hindered from offering their assistance, by the fear of standing alone against the armies of France.

That by this conduct he may expose his dominions on the continent to invasions, ravages, and the other miseries of war, every one who knows their situation must readily allow; nor can it be doubted by any man who has heard of the power of the Prussians and French, that they may commit great devastations with very little opposition, the forces of the electorate not being sufficient to give them battle; for though the fortified towns might hold out against them, that consideration will very little alleviate the concern of those who consider the miseries of a nation, whose enemies are in possession of all the open country, and who from their ramparts see their harvest laid waste, and their villages in flames. The fortifications contain the strength, but the field and the trading towns comprise the riches of a people, and the country may be ruined which is not subdued.

As, therefore, sir, the electoral dominions of his majesty are now endangered, not by any private dispute with the neighbouring princes, but by his firmness in asserting the general rights of Europe; as the consequences of his conduct, on this occasion, will be chiefly beneficial to Britain,

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we ought surely to support him in the prosecution of this design; a design which we cannot but approve, since our ancestors have always carried it on without regard either to the danger or the expense.

In conformity to this maxim of politicks, so clearly founded in equity, and so often justified by the votes of the senate, has his majesty been pleased to declare to us his resolution to adhere to his engagements, and oppose all attempts that may be forming in favour of any unjust pretensions to the prejudice of the house of Austria. 'Tis for this end he desires the concurrence of his senate. I hope every gentleman in this house will agree with me that we ought to declare our approbation of these measures, in such terms as may show the world, that those who shall dare to obstruct them, must resolve to incur the resentment of this nation, and expose themselves to all the opposition which the senate of Britain can send forth against them. We ought to pronounce that the territories of Hanover will be considered, on this occasion, as the dominions of Britain, and that any attack on one or the other will be equally resented. I, therefore, move, that an humble address be presented by this house to his majesty,

To return our thanks for his speech; to express our dutiful sense of his majesty's just regard for the rights of the queen of Hungary, and for maintaining the Pragmatick sanction; to declare our concurrence in the prudent measures which his majesty is pursuing for the preservation of the liberties and balance of power in Europe; to acknowledge his majesty's wisdom and resolution, in not suffering himself to be diverted from steadily persevering in his just purposes of fulfilling his engagements with the house of Austria; also, further to assure his majesty, that, in justice to and vindication of the honour and dignity of the British crown, we will effectually stand by and support his majesty against all insults and attacks, which any prince or power, in resentment of the just measures which he has so wisely taken, shall make upon any of his majesty's dominions, though not belonging to the

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crown of Great Britain. And that in any future events, which might make it necessary for him to enter into still larger expenses, this house will enable him to contribute, in the most effectual manner, to the support of the queen of Hungary, to the preventing, by all reasonable means, the subversion of the house of Austria, and to the maintaining the Pragmatick sanction and the liberties and balance of Europe.

Mr. FOX seconded the motion in this manner:—Sir, the expediency, if not the necessity of the address now moved for, will, I believe, be readily allowed by those who consider the just measures which are pursued by his majesty, the end which is intended by them, and the powers by which they are opposed.

How much it is our duty to support the house of Austria it is not necessary to explain to any man who has heard the debates of this assembly, or read the history of the last war. How much it is our duty to support it, is evident, as soon as it is known by whom it is attacked; by the ancient enemy of these nations, by the general disturber of the universe, by the formidable oppressors of liberty, exulting in new acquisitions, inflamed with the madness of universal monarchy, and elated with an opportunity of subjecting Germany, by exalting to the supreme power a prince who shall hold his authority only by their permission.

The house of Austria, which has so often stood forth in defence of our common rights, which has poured armies into the field, in confederacy with Britain, to suppress the insolence of that family which nothing could satisfy but boundless power, now demands the assistance which it has so often afforded; that assistance is demanded from us by every claim which the laws of society can enact, or the dictates of nature can suggest, by treaties maturely considered, and solemnly confirmed, by the ties of ancient friendship, and the obligations of common interest.

To violate the publick faith, and to neglect the observation of treaties, is to sink ourselves below barbarity, to destroy that confidence which unites mankind in society.

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To deny or evade our stipulations, sir, is to commit a crime which every honest mind must consider with abhorrence, and to establish a precedent which may be used hereafter to our own destruction.

To forsake an ancient ally only because we can receive no immediate advantage from his friendship, or because it may be in some degree dangerous to adhere to him; to forsake him when he most wants our good offices, when he is distressed by his enemies, and deserted by others from whom he had reason to hope for kinder treatment, is the most despicable, the most hateful degree of cowardice and treachery.

The obligations of interest, sir, it is not often needful to enforce, but it may be observed on this occasion, that a single year of neglect may never be retrieved. We may, sir, now be able to support those whom, when once dispossessed, it will not be in our power to restore; and that if we suffer the house of Austria to be overborne, our posterity, through every generation, may have reason to curse our injudicious parsimony, our fatal inactivity, and our perfidious cowardice.

With what views the king of Prussia concurs in the French measures, or upon what principles of policy he promises to himself any security in the enjoyment of his new dominions, it is not easy to conjecture; but as it is easy to discover, that whatever he may propose to himself, his conduct evidently tends to the ruin of Europe, so he may, in my opinion, justly be opposed, if he cannot be diverted or made easy.

Nor can we, sir, if this opposition should incite him, or any other power, to an invasion of his majesty's foreign dominions, refuse them our protection and assistance: for as they suffer for the cause which we are engaged to support, and suffer only by our measures, we are at least, as allies, obliged by the laws of equity and the general compacts of mankind, to arm in their defence; and what may be claimed by the common right of allies, we shall surely not deny them, only because they are more closely united to us, because they own the same monarch with ourselves.

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Mr. PULTENEY spoke to the following purpose:—Sir, with what eagerness the French snatch every opportunity of increasing their influence, extending their dominions, and oppressing their neighbours, the experience of many years has convinced all Europe; and it is evident that unless some power be preserved in a degree of strength nearly equal to theirs, their schemes, pernicious as they are, cannot be defeated.

That the only power from which this opposition can be hoped, is the house of Austria, a very superficial view of this part of the globe, will sufficiently demonstrate; of this we were long since so strongly convinced, that we employed all our forces and all our politicks to aggrandize this house. We endeavoured not only to support it in all its hereditary rights, but to invest it with new soyereignties, and extend its authority over new dominions.

Why we afterwards varied in our councils and our measures, I have long inquired without any satisfaction, having never, sir, with the utmost application, been able to discover the motives to the memorable treaty of Hanover, by which we stipulated to destroy the fabrick that we had been so long and so laboriously endeavouring to erect; by which we abandoned that alliance which we had so diligently cultivated, which we had preferred to peace, plenty, and riches, and for which we had cheerfully supported a tedious, a bloody, and an expensive war.

This conduct, sir, raises a greater degree of admiration, as the authors of it had exhausted all their eloquence in censuring the treaty of Utrecht, and had endeavoured to expose those who transacted it to the general hatred of the nation; as they always expressed in the strongest terms their dread and detestation of the French; as they animated all their harangues, and stunned their opponents with declarations of their zeal for the liberties of Europe.

By what impulse or what infatuation, these asserters of liberty, these enemies of France, these guardians of the balance of power, were on the sudden prevailed on to declare in favour of the power whom they had so long thought it their chief interest and highest honour to op-

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pose, must be discovered by sagacity superiour to mine. But after such perplexity of councils and such fluctuation of conduct, it is necessary to inquire more particularly what are the present intentions of the ministry, what alliances have been formed, and what conditions are required to be fulfilled.

If we are obliged only to supply the queen of Hungary with twelve thousand men, we have already performed our engagements; if we have promised any pecuniary assistance, the sum which we have stipulated to furnish ought to be declared; for I suppose, at least, our engagements have some limits, and that we are not to exert all the force of the nation, to fight as if fire and sword were at our gates, or an invader were landing armies upon our coasts.

I have, sir, from my earliest years been zealous for the defence and exaltation of the house of Austria, and shall be very far from proposing that any danger or distress should influence us to desert it; but I do not easily discover by what means we shall be able to afford any efficacious assistance: for the power of Britain consists chiefly in naval armaments, which can be of very little use to the queen of Hungary, and I know not any state that will easily consent to unite with us on this occasion.

If there be, sir, any states remaining in Europe which the French can neither intimidate nor bribe, we ought studiously to solicit and diligently to cultivate their friendship; but whether any, except the Moscovites, are now independent, or sufficiently confident of their own strength to engage in such a hazardous alliance, may be justly doubted.

The late grand alliance, sir, was supported at the expense of this nation alone; nor was it required from the other confederates to exhaust the treasure of their country in the common cause. I hope the debt which that war has entailed upon us will instruct us to be more frugal in our future engagements, and to stipulate only what we may perform without involving the nation in misery, which victories and triumphs cannot compensate.

The necessity, sir, of publick economy obliges me to insist, that before any money shall be granted, an account

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be laid before the senate, in particular terms, of the uses to which it is to be applied. To ask for supplies in general terms, is to demand the power of squandering the publick money at pleasure, and to claim, in softer language, nothing less than despotick authority.

It has not been uncommon for money, granted by the senate, to be spent without producing any of those effects which were expected from it, without assisting our allies, or humbling our enemies; and, therefore, there is reason for suspecting that money has sometimes been asked for one use and applied to another.

If our concurrence, sir, is necessary to increase his majesty's influence on the continent, to animate the friends of the house of Austria, or to repress the disturbers of the publick tranquillity, I shall willingly unite with the most zealous advocates for the administration in any vote of approbation or assistance, not contrary to the act of settlement, that important and well-concerted act, by which the present family was advanced to the throne, and by which it is provided, that Britain shall never be involved in war for the enlargement or protection of the dominions of Hanover, dominions from which we never expected nor received any benefit, and for which, therefore, nothing ought to be either suffered or hazarded.

If it should be again necessary to form a confederacy, and to unite the powers of Europe against the house of Bourbon, that ambitious, that restless family, by which the repose of the world is almost every day interrupted, which is incessantly labouring against the happiness of human nature, and seeking every hour an opportunity of new encroachments, I declare, sir, that I shall not only, with the greatest cheerfulness, bear my share of the publick expense, but endeavour to reconcile others to their part of the calamities of war. This, sir, I have advanced in confidence, that sufficient care shall be taken, that in any new alliance we shall be parties, not principals; that the expense of war, as the advantage of victory, shall be common; and that those who shall unite with us will be our allies, not our mercenaries.

Mr. WALPOLE then spoke, to the following purpose:—

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Sir, it is not without reason that the honourable gentleman desires to be informed of the stipulations contained in the treaty by which we have engaged to support the Pragmatick sanction; for I find that he either never knew them or has forgotten them; and, therefore, those reasonings which he has formed upon them fall to the ground.

We are obliged, sir, by this treaty, to supply the house of Austria with twelve thousand men, and the Dutch, who were engaged in it by our example, have promised a supply of five thousand. This force, joined to those armies which the large dominions of that family enable them to raise, were conceived sufficient to repel any enemy by whom their rights should be invaded.

But because in affairs of such importance nothing is to be left to hazard, because the preservation of the equipoise of power, on which the liberties of almost all mankind, who can call themselves free, must be acknowledged to depend, ought to be rather certain, than barely probable; it is stipulated farther, both by the French and ourselves, that if the supplies, specified in the first article, shall appear insufficient, we shall unite our whole force in the defence of our ally, and struggle, once more, for independence, with ardour proportioned to the importance of our cause.

By these stipulations, sir, no engagements have been formed that can be imagined to have been prohibited by the act of settlement, by which it is provided, that the house of Hanover shall not plunge this nation into a war, for the sake of their foreign dominions, without the consent of the senate; for this war is by no means entered upon for the particular security of Hanover, but for the general advantage of Europe, to repress the ambition of the French, and to preserve ourselves and our posterity from the most abject dependence upon a nation exasperated against us by long opposition, and hereditary hatred.

Nor is the act of settlement only preserved unviolated by the reasons of the present alliance, but by the regular concurrence of the senate which his majesty has desired, notwithstanding his indubitable right of making peace and

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war by his own authority. I cannot, therefore, imagine upon what pretence it can be urged, that the law, which requires that no war shall be made on account of the Hanoverian dominions without the consent of the senate, is violated, when it is evident that the war is made upon other motives, and the concurrence of the senate is solemnly desired.

But such is the malevolence with which the conduct of the administration is examined, that no degree of integrity or vigilance can secure it from censure. When, in the present question, truth and reason are evidently on their side, past transactions are recalled to memory, and those measures are treated with the utmost degree of contempt and ridicule, of which the greatest part of the audience have probably forgotten the reasons, and of which the authors of them do not always stand up in the defence, because they are weary of repeating arguments to those who listen with a resolution never to be convinced.

How well, sir, those by whom the ministry is opposed, have succeeded in hardening their minds against the force of reason, is evident from their constant custom of appealing from the senate to the people, and publishing, in pamphlets, those arguments which they have found themselves, in this assembly, unable to support; a practice which discovers rather an obstinate resolution to obstruct the government, than zeal for the prosperity of their country, and which, to speak of it in the softest terms, seems to be suggested more by the desire of popularity than the love of truth.

Mr. SANDYS spoke to the effect following:—Sir, notwithstanding the confidence with which this motion has been offered and defended, notwithstanding the specious appearance of respect to his majesty, by which it is recommended, I am not ashamed to declare, that it appears to me inconsistent with the trust reposed in us by our constituents, who owe their allegiance to the king of Britain, and not to the elector of Hanover.

It will be urged, sir, by the people, whom we sit here to represent, that they are already embarrassed with debts,

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contracted in a late war, from which, after the expense of many millions, and the destruction of prodigious multitudes, they receive no advantage; and that they are now loaded with taxes for the support of another, of which they perceive no prospect of a very happy or honourable conclusion, of either security or profit, either conquests or reprisals; and that they are, therefore, by no means willing to see themselves involved in any new confederacy, by which they may entail on their posterity the same calamities, and oblige themselves to hazard their fortunes and their happiness in defence of distant countries, of which many of them have scarcely heard, and from which no return of assistance is expected.

Mr. WALPOLE spoke again, to this purpose:—Sir, though it is not necessary to refute every calumny that malice may invent, or credulity admit, or to answer those of whom it may reasonably be conceived that they do not credit their own accusations, I will yet rise, once more, in vindication of the treaty of Hanover, to show with how little reason it is censured, to repress the levity of insult, and the pride of unreasonable triumph.

The treaty of Hanover, sir, how long soever it has been ridiculed, and with whatever contempt those by whom it was negotiated have been treated, was wise and just. It was just, because no injury was intended to any power, no invasion was planned, no partition of dominions stipulated, nothing but our own security desired. It was wise, because it produced the end proposed by it, and established that security which the Austrians and Spaniards were endeavouring to destroy.

The emperour of Germany, sir, had then entered into a secret treaty of alliance with Spain, by which nothing less was designed than the total destruction of our liberties, the diminution of our commerce, the alienation of our dominions, and the subversion of our constitution. We were to have been expelled from Gibraltar, and totally excluded from the Mediterranean, the pretender was to have been exalted to the throne, and a new religion, with the slavery that always accompanies it, to have been introduced

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amongst us, and Ostend was to have been made a port, and to have shared the poor remains of our commerce to foreign nations.

This unjust, this malicious confederacy, was then opposed with the utmost vehemence by the imperial general, whose courage and military capacity are celebrated throughout the world, and whose political abilities and knowledge of the affairs of Europe, were equal to his knowledge of war. He urged, with great force, that such a confederacy would disunite the empire for ever from the maritime powers, by which it had been supported, and which were engaged by one common interest in the promotion of its prosperity: but his remonstrances availed nothing, and the alliance was concluded.

When our ancient allies, who had been so often succoured with our treasure, and defended by our arms, had entered into such engagements; when it was stipulated not only to impoverish but enslave us; not only to weaken us abroad, but to deprive us of every domestick comfort; when a scheme was formed that would have spread misery over the whole nation, and have extended its consequences to the lowest orders of the community, it was surely necessary to frustrate it by some alliance, and with whom could we then unite, but with France?

This is not the only fact on which gentlemen have ventured to speak with great freedom without sufficient information; the conduct of our allies in the late war has been no less misrepresented than that of our ministers in their negotiations. They have been charged with imposing upon us the whole expense of the confederacy, when it may be proved, beyond controversy, that the annual charge of the Dutch was five millions.

Nor did they, sir, only contribute annually thus largely to the common cause, but when we forsook the alliance, and shamefully abandoned the advantages we had gained, they received our mercenaries into their own pay, and expended nine millions in a single year.

Of the truth of these assertions it is easy to produce incontestable evidence, which, however, cannot be necessary

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to any man who reflects, that from one of the most wealthy nations in the world, the Dutch, with all their commerce, and all their parsimony, are reduced to penury and distress; for who can tell by what means they have sunk into their present low condition, if they suffered nothing by the late war?

How this gentleman, sir, has been deceived, and to whose insinuations his errours are to be imputed, I am at no loss to discover. I hope he will, by this confutation, be warned against implicit credulity, and remember with what caution that man is to be trusted, whose pernicious counsels have endangered his country.

Mr. VYNER spoke thus:—Sir, it is, in my opinion, an incontestable maxim, that no measures are eligible, which are unjust; and that, therefore, before any resolutions are formed, we ought to examine not what motives may be suggested by expedience, but what arguments may be advanced by equity on one part or the other.

If I do not mistake the true intent of the address now proposed, we are invited to declare that we will oppose the king of Prussia in his attempts upon Silesia, a declaration in which I know not how any man can concur, who knows not the nature of his claim, and the laws of the empire. It ought, therefore, sir, to have been the first endeavour of those by whom this address has been so zealously promoted, to show that his claim, so publickly explained, so firmly urged, and so strongly supported, is without foundation in justice or in reason, and is only one of those imaginary titles, which ambition may always find to the dominions of another.

But no attempt has been yet made towards the discussion of this important question, and, therefore, I know not how any man can call upon us to oppose the king of Prussia, when his claim may probably be just, and, by consequence, such as, if it were necessary for us to engage in the affairs of those distant countries, we ought to join with him in asserting.

Lord GAGE spoke next, in substance as follows:—Sir, as no member of this assembly can feel a greater degree of

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zeal for his majesty's honour than myself; none shall more readily concur in any expression of duty or adherence to him.

But I have been always taught that allegiance to my prince is consistent with fidelity to my country, that the interest of the king and the people of great Britain is the same; and that he only is a true subject of the crown, who is a steady promoter of the happiness of the nation.

For this reason I think it necessary to declare, that Hanover is always to be considered as a sovereignty separate from that of Britain, and as a country with laws and interests distinct from ours; and that it is the duty of the representatives of this nation, to take care that interests so different may never be confounded, and that Britain may incur no expense of which Hanover alone can enjoy the advantage.

If the elector of Hanover should be engaged in war with any of the neighbouring sovereigns, who should be enabled, by a victory, to enter into the country, and carry the terrours of war through all his territories, it would by no means be necessary for this nation to interpose; for the elector of Hanover might lose his dominions without any disadvantage or dishonour to the king or people of Britain.

HOUSE OF COMMONS, APRIL 16, 1741.

DEBATE ON A MOTION FOR SUPPORTING THE QUEEN OF HUNGARY.

His majesty went this day to the house of lords, and after his assent to several bills, he, in a speech from the throne to both houses of the senate, acquainted them, that the war raised against the queen of Hungary, and the various claims on the late German emperour's succession, might expose the dominions of such princes as should incline to support the Pragmatick sanction to imminent danger. That the queen of Hungary required the

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twelve thousand men stipulated by treaty, and thereupon he had demanded of the king of Denmark, and of the king of Sweden, as sovereign of Hesse Cassel, their respective bodies of troops, of six thousand men each, to be in readiness to march to her assistance. That he was concerting such farther measures as may disappoint all dangerous designs forming to the prejudice of the house of Austria, which might make it necessary for him to enter into still larger expenses for maintaining the Pragmatick sanction. He, therefore, in a conjuncture so critical, desired the concurrence of his senate, in enabling him to contribute, in the most effectual manner, to the support of the queen of Hungary, the preventing, by all reasonable means, the subversion of the house of Austria, and to the maintaining the liberties and balance of power in Europe.

The house of commons, in their address upon this occasion, expressed a dutiful sense of his majesty's just regard for the rights of the queen of Hungary, and for the maintaining the Pragmatick sanction; they declared their concurrence in the prudent measures which his majesty was pursuing for the preservation of the liberties and balance of power in Europe; they assured his majesty, that, in justice to, and vindication of the honour and dignity of the British crown, they would effectually stand by and support his majesty against all insults and attacks, which any power, in resentment of the just measures which he had so wisely taken, should make upon any of his majesty's dominions, though not belonging to the crown of Great Britain. They farther assured his majesty, that in any future events which might make it necessary for him to enter into still larger expenses, they would enable him to contribute, in the most effectual manner, to the support of the designs he proposed.

His majesty, in his answer to this address, observed their readiness in enabling him to make good his engagements with the queen of Hungary, and the assurances given him not to suffer his foreign dominions to be in-

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sulted on account of the measures he was pursuing for the support of the Pragmatick sanction, etc.

In consequence of this procedure, the house, pursuant to order, resolved itself into a committee, to consider of the supplies granted to his majesty.

Upon this occasion, a motion was made by sir Robert Walpole for a grant of three hundred thousand pounds, for the support of the queen of Hungary, on which arose the following debate:

Sir ROBERT WALPOLE supported his motion by a speech, in substance as follows:—Sir, the necessity of this grant appears so plainly from the bare mention of the purposes for which it is asked, that I can scarcely conceive that its reasonableness will be disputed. I can discover no principles upon which an objection to this motion can be founded, nor the least arguments by which such objection can be supported.

The indispensable obligations of publick faith, the great ties by which nations are united, and confederacies formed, I cannot suppose any man inclined to invalidate. An exact performance of national promises, and inviolable adherence to treaties, is enforced at once by policy and justice, and all laws both of heaven and earth.

Publick perfidy, sir, like private dishonesty, whatever temporary advantages it may promise or produce, is always, upon the whole, the parent of misery. Every man, however prosperous, must sometimes wish for a friend; and every nation, however potent, stand in need of an ally; but all alliances subsist upon mutual confidence, and confidence can be produced only by unlimited integrity, by known firmness, and approved veracity.

The use of alliances, sir, has, in the last age, been too much experienced to be contested; it is by leagues well concerted, and strictly observed, that the weak are defended against the strong, that bounds are set to the turbulence of ambition, that the torrent of power is restrained, and empires preserved from those inundations of war, that, in former times, laid the world in ruins. By

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alliances, sir, the equipoise of power is maintained, and those alarms and apprehensions avoided, which must arise from daily vicissitudes of empire, and the fluctuations of perpetual contest.

That it is the interest of this nation to cultivate the friendship of the house of Austria, to protect its rights, and secure its succession, to inform it when mistaken, and to assist it when attacked, is allowed by every party. Every man, sir, knows that the only power that can sensibly injure us, by obstructing our commerce, or invading our dominions, is France, against which no confederacy can be formed, except with the house of Austria, that can afford us any efficacious support.

The firmest bond of alliances is mutual interest. Men easily unite against him whom they have all equal reason to fear and to hate; by whom they have been equally injured, and by whom they suspect that no opportunity will be lost of renewing his encroachments. Such is the state of this nation, and of the Austrians. We are equally endangered by the French greatness, and equally animated against it by hereditary animosities, and contests continued from one age to another; we are convinced that, however either may be flattered or caressed, while the other is invaded, every blow is aimed at both, and that we are divided only that we may be more easily destroyed.

For this reason we engaged in the support of the Pragmatick sanction, and stipulated to secure the imperial crown to the daughters of Austria; which was nothing more than to promise, that we would endeavour to prevent our own destruction, by opposing the exaltation of a prince who should owe his dignity to the French, and, in consequence of so close an alliance, second all their schemes, admit all their claims, and sacrifice to their ambition the happiness of a great part of mankind.

Such would probably be the consequence, if the French should gain the power of conferring the imperial crown. They would hold the emperour in perpetual dependence, would, perhaps, take possession of his hereditary dominions, as a mortgage for their expenses; would awe him

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with the troops which they sent under a pretence of assisting him, and leave him only the titles of dominion, and the shadows of empire.

In this state would he remain, whilst his formidable allies were extending their dominions on every side. He would see one power subdued after another, and himself weakened by degrees, and only not deprived of his throne, because it would be unnecessary to dethrone him; or he would be obliged to solicit our assistance to break from his slavery, and we should be obliged, at the utmost hazard, and at an expense not to be calculated, to remedy what it is, perhaps, now in our power to prevent with very little difficulty.

That this danger is too near to be merely chimerical, that the queen of Hungary is invaded, and her right to the imperial dignity contested, is well known; it is, therefore, the time for fulfilling our engagements; engagements of the utmost importance to ourselves and our posterity; and I hope the government will not be accused of profusion, if, for three hundred thousand pounds, the liberties of Europe shall be preserved.

We cannot deny this grant without acting in opposition to our late professions of supporting his majesty in his endeavours to maintain the Pragmatick sanction, and of assisting him to defend his foreign dominions from any injuries to which those endeavours should expose them; for how can he without forces defend his dominions, or assist his ally? or how can he maintain forces without supplies?

Mr. SHIPPEN next rose, and spoke thus:—Sir, as I have always endeavoured to act upon conviction of my duty, to examine opinions before I admit them, and to speak what I have thought the truth, I do not easily change my conduct, or retract my assertions; nor am I deterred from repeating my arguments when I have a right to speak, by the remembrance that they have formerly been unsuccessful.

Every man, when he is confident himself, conceives himself able to persuade others, and imagines that their obstinacy proceeds from other motives than reason; and that, if he fails at one time to gain over his audience, he may

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yet succeed in some happier moment, when their prejudices shall be dissipated, or their interest varied.

For this reason, though it cannot be suspected that I have forgotten the resentment which I have formerly drawn upon myself, by an open declaration of my sentiments with regard to Hanover, I stand up again, with equal confidence, to make my protestations against any interposition in the affairs of that country, and to avow my dislike of the promise lately made to defend it: a promise, inconsistent, in my opinion, with that important and inviolable law, the *act of settlement!*—a promise, which, if it could have been foreknown, would, perhaps, have for ever precluded from the succession that illustrious family, to which we owe such numberless blessings, such continued felicity!

Far be it from me to insinuate that we can be too grateful to his majesty, or too zealous in our adherence to him; only let us remember, that true gratitude consists in real benefits, in promoting the true interest of him to whom we are indebted; and surely, by hazarding the welfare of Britain in defence of Hanover, we shall very little consult the advantage, or promote the greatness of our sovereign.

It is well known how inconsiderable, in the sight of those by whom the succession was established, Hanover appeared, in comparison with Britain. Those men, to whom even their enemies have seldom denied praise for knowledge and capacity, and who have been so loudly celebrated by many, who have joined in the last address, for their honest zeal, and the love of their country, enacted, that the king of Britain should never visit those important territories, which we have so solemnly promised to defend, at the hazard of our happiness. It was evidently their design that our sovereign, engrossed by the care of his new subjects, a care which, as they reasonably imagined, would arise from gratitude for dignity and power so liberally conferred, should in time forget that corner of the earth on which his ancestors had resided, and act, not as elector of Hanover, but as king of Britain, as the governour of a mighty nation, and the lord of large dominions.

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It was expressly determined, that this nation should never be involved in war for the defence of the dominions on the continent, and, doubtless, the same policy that has restrained us from extending our conquests in countries from which some advantages might be received, ought to forbid all expensive and hazardous measures, for the sake of territories from whence no benefit can be reaped.

Nor are the purposes, sir, for which this supply is demandéd, the only objections that may be urged against it, for the manner in which it is asked, makes it necessary at least to delay it. The ministers have been so little accustomed to refusals that they have forgot when to ask with decency, and expect the treasure of the nation to be poured upon them, whenever they shall think it proper to hint that they have discovered some new opportunity of expense.

It is necessary, that when a supply is desired, the house should be informed, some time before, of the sum that is required, and of the ends to which it is to be applied, that every member may consider, at leisure, the expediency of the measures proposed, and the proportion of the sum to the occasion on which it is demanded; that he may examine what are the most proper methods of raising it, and, perhaps, inquire with what willingness his constituents will advance it.

Whether any man is enabled by his acuteness and experience, to determine all these questions upon momentaneous reflection, I cannot decide. For my part, I confess myself one of those on whom nature has bestowed no such faculties, and therefore move that the consideration of this supply may be deferred for a few days; for if it be now pressed upon us, I shall vote against it, because I do not yet fully discover all the reasons for it, nor all the consequences which it may produce, and I think myself obliged to know for what purpose I give away the money which is not my own.

Mr. VYNER spoke as follows:—Sir, whatever may be the necessity of maintaining the Pragmatick sanction, or

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whatever the obligations of national pacts, of which I hope no man is desirous of countenancing the neglect, yet they cannot oblige us to arm without an enemy, to embarrass ourselves with watching every possibility of danger, to garrison dominions which are not threatened, or assert rights which are not invaded.

The expediency of maintaining the house of Austria on the imperial throne, it is not at present necessary to assert, because it does not appear that any other family is aspiring to it. There may, indeed, be whispers of secret designs and artful machinations, whispers, perhaps, spread only to affright the court into treaties, or the senate into grants; or designs, which, like a thousand others that every day produces, innumerable accidents may defeat; which may be discovered, not only before they are executed, but before they are fully formed, and which, therefore, are not worthy to engross much of our attention, or to exhaust the wealth of the people.

The Pragmatick sanction is nothing more than a settlement of the imperial dignity upon the eldest daughter of the late German emperour and her son; and if she has no son, upon the son of the second daughter; nor has the crown of Britain, by engaging to support that sanction, promised any thing more than to preserve this order of succession, which no power, at present, is endeavouring to interrupt; and which, therefore, at present, requires no defence.

The dispute, sir, between the king of Prussia and the queen of Hungary, is of a different kind; nor is it our duty to engage in it, either as parties or judges. He lays claim to certain territories usurped, as he alleges, from his ancestors by the Austrian family, and asserts, by force, this claim, which is equally valid, whether the queen be emperess or not. We have no right to limit his dominions, or obligation to examine the justice of his demands. If he is only endeavouring to gain what has been forcibly withheld from him, what right have we to obstruct his undertaking? And if the queen can show a better title, she is, like all other sovereigns, at liberty to maintain it; nor are

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we necessarily to erect ourselves into judges between sovereigns, or distributors of dominions.

The contest seems to have very little relation to the Pragmatick sanction: if the king of Prussia succeeds, he will contribute to support it; and if the queen is able to frustrate his designs, she will be too powerful to need our assistance.

But though, sir, the Pragmatick sanction were in danger of violation, are we to stand up alone in defence of it, while other nations, equally engaged with ourselves by interest and by treaties, sit still to look upon the contest, and gather those advantages of peace which we indiscreetly throw away? Are we able to maintain it without assistance, or are we to exhaust our country, and ruin our posterity in prosecution of a hopeless project, to spend what can never be repaid, and to fight with certainty of a defeat?

The Dutch, whose engagements and whose interests are the same as our own, have not yet made any addition to their expenses, nor augmentation of their troops; nor does a single potentate of Europe, however united by long alliances to the house of Austria, or however endangered by revolutions in the empire, appear to rouse at the approach of alarm, or think himself obliged to provoke enemies by whom he is not yet injured.

I cannot, therefore, persuade myself that we are to stand up single in the defence of the Pragmatick sanction, to fight the quarrel of others, or live in perpetual war, that our neighbours may be at peace.

I shall always think it my duty to disburse the publick money with the utmost parsimony, nor ever intend, but on the most pressing necessity, to load with new exactions a nation already overwhelmed with debts, harassed with taxes, and plundered by a standing army.

For what purpose these numerous forces are maintained, who are now preying on the publick; why we increase our armies by land when we only fight by sea; why we aggravate the burden of the war, and add domestick oppressions to foreign injuries, I am at a loss to determine. Surely some regard should be had to the satisfaction of the people,

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who ought not, during the present scarcity of provisions, to be starved by the increase of an army, which seems supported only to consume them.

As, therefore, part of our present expense is, in my opinion, unnecessary, I shall not contribute to aggravate it by a new grant, for purposes of which I cannot discover that they will promote the advantage of the publick.

Sir ROBERT WALPOLE replied to the following effect: —Sir, the Pragmatick sanction, which we are engaged to support, is not confined to the preservation of the order of succession, but extends to all the rights of the house of Austria, which is now attacked, and by a very formidable enemy, at a time of weakness and distraction, and therefore requires our assistance.

That others, equally obliged by treaty and by interest to lend their help on this occasion, sit reluctive, either through cowardice or negligence, or some prospect of temporary advantage, may, perhaps, be true; but is it any excuse of a crime, that he who commits it is not the only criminal? Will the breach of faith in others excuse it in us? Ought we not rather to animate them by our activity, instruct them by our example, and awaken them by our representations?

Perhaps the other powers say to themselves, and to one another, Why should we keep that treaty which Britain is violating? Why should we expose ourselves to danger, of which that mighty nation, so celebrated for courage, is afraid? Why should we rush into war, in which our most powerful ally seems unwilling to support us?

Thus the same argument, an argument evidently false, and made specious only by interest, may be used by all, till some one, more bold and honest than the rest, shall dare to rise in vindication of those rights which all have promised to maintain; and why should not the greatest nation be the first that shall avow her solemn engagements? Why should not they be most diligent in the prosecution of an affair who have most to lose by its miscarriage?

I am always willing to believe, that no member of this assembly makes use, in any solemn debate, of arguments

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which do not appear rational to himself, and yet it is difficult to conceive that any man can imagine himself released from a promise, because the same promise is broken by another, or that he is at liberty to desert his friend in distress, because others desert him, whose good offices he has equal reason to expect, and that the more his assistance is needed, the more right he has to deny it.

Surely such arguments as these deserve not, need not a confutation. Before we regulate our conduct by that of others, we must either prove that they have done right, which proof will be a sufficient defence without the precedent, or own that they are more capable of judging than we, and that, therefore, we pay an implicit submission to their dictates and example; a sacrifice which we shall not willingly make to the vanity of our neighbours.

In the present case it is evident that if other nations neglect the performance of their contracts, they are guilty of the breach of publick faith; of a crime, that, if it should generally be imitated, would dissolve society, and throw human nature into confusion, that would change the most happy region into deserts, in which one savage would be preying on another.

Nor are they only propagating an example, which in some distant times may be pleaded against themselves, but they are exposing themselves to more immediate dangers; they are forwarding designs that have no tendency but to their ruin, they are adding strength to their inveterate enemies, and beckoning invasion to their own frontiers.

Let us, therefore, instead of hardening ourselves in perfidy, or lulling ourselves in security by their example, exert all our influence to unite them, and all our power to assist them. Let us show them what they ought to determine by our resolutions, and teach them to act by our vigour; that, if the house of Austria be preserved, our alliance may be strengthened by new motives of gratitude; and that, if it must be that the liberties of this part of the world be lost, we may not reproach ourselves with having neglected to defend them.

Mr. PELHAM spoke next to this purpose:—Sir, it is

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not to be supposed that such members of this assembly as are not engaged in publick affairs, should receive very exact intelligence of the dispositions of foreign powers, and, therefore, I do not wonder that the conduct of the Dutch has been misrepresented, and that they are suspected of neglecting their engagements at a time when they are endeavouring to perform them.

The Dutch have now under consideration the most proper methods of assisting the queen of Hungary, and maintaining the Pragmatick sanction; it may be, indeed, justly suspected, from the nature of their constitution, that their motions will be slow, but it cannot be asserted, that they break their engagements, or desert their confederates.

Nor is there any reason for imagining that the other princes, who have incurred the same obligations, will not endeavour to perform their promises; it may be easily conceived that some of them are not able at a sudden summons to afford great assistance, and that others may wait the result of our deliberations, and regulate their conduct by our example.

Not that we ought to neglect our engagements, or endanger our country, because other powers are either perfidious, or insensible; for I am not afraid to declare, that if that should happen, which there is no reason to suspect, if all the other powers should desert the defence of the Austrian line, should consent to annul the Pragmatick sanction, and leave the queen of Hungary to the mercy of her enemies, I would advise that Britain alone should pour her armies into the continent, that she should defend her ally against the most formidable confederacy, and show mankind an example of constancy not to be shaken, and of faith not to be violated.

If it be, therefore, our duty to support the Pragmatick sanction, it is now the time for declaring our resolutions, when the imperial crown is claimed by a multitude of competitors, among whom the elector of Bavaria, a very powerful prince, has, by his minister, notified his pretensions to the court of Britain.

The ancient alliance between this prince and the French is well known, nor can we doubt that he will now im-

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plore their assistance for the attainment of the throne to which he aspires; and I need not say what may be expected from an emperour, whose elevation was procured by the forces of France.

Nor is this the only prince that claims the imperial crown upon plausible pretences, or whose claims other powers may combine to support; it is well known, that even the Spanish monarch believes himself entitled to it, nor can we, who have no communication with him, know whether he has not declared to all the other princes of Europe, his resolution to assert his claim.

It is far from being impossible that the pretensions of the house of Bourbon may be revived, and that though no single prince of that family should attempt to mount the imperial throne, they may all conspire to dismember the empire into petty kingdoms, and free themselves from the dread of a formidable neighbour, by erecting a number of diminutive sovereigns, who may be always courting the assistance of their protectors, for the sake of harassing each other.

Thus will the house by which Europe has been hitherto protected, sink into an empty name, and we shall be left to stand alone against all the powers that profess a different religion, and whose interest is opposite to that of Britain.

We ought, indeed, to act with the utmost vigour, when we see one of the most powerful of the reformed princes so far forgetful of the interest of our religion, as to cooperate with the designs of France, and so intent upon improving the opportunity of distressing the house of Austria, as to neglect the common cause, and expose himself or his posterity to the danger of becoming a dependant on the house of Bourbon.

For this reason, I cannot agree that our army, though numerous and burdensome, is greater than the necessity of affairs requires: if we cast our eyes on the continent, nothing is to be seen but general confusion, powerful armies in motion, the dominions of one prince invaded, of another threatened; the tumults of ambition in one place, and a panick stillness in another.

What will be the event of these commotions who can

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discover? And how can we know what may determine the course of that flood of power, which is now in a state of uncertain fluctuation, or seems driven to different points by different impulses? How soon may the Dutch see their barrier attacked, and call upon us for the ten thousand men which we are obliged to send them? How soon may the house of Austria be so distressed, as to require all our power for its preservation?

That we are to leave nothing unattempted for the security of our own religion and liberty, will easily be granted, and, therefore, unless it can be proved that we may be equally secure, though the house of Austria be ruined, it will necessarily follow that we are, with all our power, to enforce the observation of the Pragmatick sanction.

This is not an act of romantick generosity, but such as the closest attention to our own interest shows to be necessary; in defending the queen of Hungary we defend ourselves, and only extinguish that flame, by which, if it be suffered to spread, we shall ourselves be consumed. The empire may be considered as the bulwark of Britain, which, if it be thrown down, leaves us naked and defenceless.

Let us, therefore, consider our own danger, and remember, that while we are considering this supply, we are deliberating upon nothing less than the fate of our country.

Mr. PULTENEY spoke next, to the effect following:—Sir, I am on this occasion of an opinion different from that of the honourable member who spoke the second in this debate, though on most questions our judgment has been the same. I am so far from seconding his proposal for delaying the consideration of this supply, that I think it may justly be inquired, why it was not sooner proposed.

For the support of the house of Austria, and the assertion of the Pragmatick sanction, no man can be more zealous than myself; I am convinced how closely the interest of this nation and that of the Austrian family are united, and how much either must be endangered by the ruin of the other, and, therefore, I shall not delay, for a single moment, my consent to any measures that may reestablish our interest on the continent, and rescue Germany once more from the jaws of France.

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I am afraid that we have lost part of our influence in the neighbouring countries, and that the name of Britain is less formidable than heretofore; but if reputation is lost, it is time to recover it, and I doubt not but it may be recovered by the same means that it was at first obtained. Our armies may be yet equally destructive, and our money equally persuasive.

We have not yet suffered, amidst all our misconduct, our naval force to be diminished; our sailors yet retain their ancient courage, and our fleets are sufficient to keep the dominion of the ocean, and prescribe limits to the commerce of every nation. While this power remains unimpaired, while Britain retains her natural superiority, and asserts the honour of her flag in every climate, we cannot become despicable, nor can any nation ridicule our menaces or scorn our alliance. We may still extend our influence to the inland countries, and awe those nations which we cannot invade.

To preserve this power let us watch over the disposal of our money; money is the source of dominion; those nations may be formidable for their affluence which are not considerable for their numbers; and by a negligent profusion of their wealth, the most powerful people may languish into imbecility, and sink into contempt.

If the grant which is now demanded will be sufficient to produce the ends to which it is proposed to be applied, if we are assured of the proper application of it, I shall agree to it without hesitation. But though it cannot be affirmed that the sum now demanded is too high a price for the liberties of Europe, it is at least more than ought to be squandered without effect, and we ought at least to know before we grant it, what advantages may be expected from it.

May not the sum demanded for the support of the queen of Hungary be employed to promote very different interests? May it not be lavished to support that power, to which our grants have too long contributed? that power by which ourselves have been awed, and the administration has tyrannised without control?

If this sum is really intended to support the queen of

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Hungary, may we not inquire how it is to be employed for her service? Is it to be sent her for the payment of her armies, and the support of her court? Should we not more effectually secure her dominions by purchasing with it the friendship and assistance of the king of Prussia, a prince, whose extent of dominions and numerous forces, make him not more formidable than his personal qualities.

What may be hoped, sir, from a prince of wisdom and courage, at the head of a hundred and ten thousand regular troops, with eight millions in his treasury? How much he must necessarily add to the strength of any party in which he shall engage, is unnecessary to mention; it is evident, without proof, that nothing could so much contribute to the reestablishment of the house of Austria, as a reconciliation with this mighty prince, and that, to bring it to pass, would be the most effectual method of serving the unfortunate queen that requires our assistance.

Why we should despair, sir, of such a reconciliation I cannot perceive; a reconciliation equally conducive to the real interest of both parties. It may be proved, with very little difficulty, to the king of Prussia, that he is now assisting those with whom interests incompatible and religions irreconcilable have set him at variance, whom he can never see prosperous but by the diminution of his own greatness, and who will always project his ruin while they are enjoying the advantages of his victories. We may easily convince him that their power will soon become, by his assistance, such as he cannot hope to withstand, and show, from the examples of other princes, how dangerous it is to add to the strength of an ambitious neighbour. We may show him how much the fate of the empire is now in his hands, and how much more glorious and more advantageous it will be to preserve it from ruin, than to contribute to its destruction.

If by such arguments, sir, this potent monarch can be induced to act steadily in defence of the common cause, we may once more stand at the head of a protestant confederacy; of a confederacy that may contract the views

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and repress the ambition of the house of Bourbon, and alter their schemes of universal monarchy into expedients for the defence of their dominions.

But in transacting these affairs, let us not engage in any intricate treaties, nor amuse ourselves with displaying our abilities for negotiation; negotiation, that fatal art which we have learned as yet very imperfectly, and which we have never attempted to practise but to our own loss. While we have been entangled in tedious disquisitions, and retarded by artful delays, while our commissaries have been debating about what was only denied to produce controversies, and inquiring after that which has been hid from them only to divert their attention from other questions, how many opportunities have been lost, and how often might we have secured by war, what was, at a much greater expense, lost by treaties.

Treaties, sir, are the artillery of our enemies, to which we have nothing to oppose; they are weapons of which we know not the use, and which we can only escape by not coming within their reach. I know not by what fatality it is, that to treat and to be cheated, are, with regard to Britons, words of the same signification; nor do I intend, by this observation, to asperse the characters of particular persons, for treaties, by whomsoever carried on, have ended always with the same success.

It is time, therefore, to know, at length, our weakness and our strength, and to resolve no longer to put ourselves voluntarily into the power of our enemies: our troops have been always our ablest negotiators, and to them it has been, for the most part, necessary at last to refer our cause.

Let us, then, always preserve our martial character, and neglect the praise of political cunning; a quality which, I believe, we shall never attain, and which, if we could obtain, would add nothing to our honour. Let it be the practice of the Britons to declare their resolutions without reserve, and adhere to them in opposition to danger; let them be ambitious of no other elogies than those which

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may be gained by honesty and courage, nor will they then ever find their allies diffident, or their enemies contemptuous.

By recovering and asserting this character, we may become once more the arbiters of Europe, and be courted by all the protestant powers as their protectors: we may once more subdue the ambition of the aspiring French, and once more deliver the house of Austria from the incessant pursuit of those restless enemies.

The defence of that illustrious family, sir, has always appeared to me, since I studied the state of Europe, the unvariable interest of the British nation, and our obligations to support it on this particular occasion have already been sufficiently explained.

Whence it proceeded, sir, that those who now so zealously espouse the Austrian interest, have been so plainly forgetful of it on other occasions, I cannot determine. That treaties have been made very little to the advantage of that family, and that its enemies have been suffered to insult it without opposition, is well known; nor was it long ago that it was debated in this house, whether any money should be lent to the late emperour.

No publick or private character can be supported, no enemy, sir, can be intimidated, nor any friend confirmed in his adherence, but by a steady and consistent conduct, by proposing, in all our actions, such ends as may be openly avowed, and by pursuing them without regard to temporary inconveniencies, or petty obstacles.

Such conduct, sir, I would gladly recommend on the present occasion, on which I should be far from advising a faint, an irresolute, or momentary assistance, such supplies as declare diffidence in our own strength, or a mean inclination to please contrary parties at the same time, to perform our engagements with the queen, and continue our friendship with France. It is, in my opinion, proper to espouse our ally with the spirit of a nation that expects her decisions to be ratified, that holds the balance of the world in her hand, and can bestow conquest and empire at her pleasure.

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Yet, sir, it cannot be denied that many powerful reasons may be brought against any new occasions of expense, nor is it without horrour and astonishment that any man, conversant in political calculations, can consider the enormous profusion of the national treasure. In the late dreadful confusion of the world, when the ambition of France had set half the nations of the earth on flame, when we sent our armies to the continent, and fought the general quarrel of mankind, we paid, during the reigns of king William and his great successour, reigns of which every summer was distinguished by some important action, but four millions yearly.

But our preparations for the present war, in which scarcely a single ship of war has been taken, or a single fortress laid in ruins, have brought upon the nation an expense of five millions. So much more are we now obliged to pay to amuse the weakest, than formerly to subdue the most powerful of our enemies.

Frugality, which is always prudent, is, at this time, sir, indispensable, when war, dreadful as it is, may be termed the lightest of our calamities; when the seasons have disappointed us of bread, and an universal scarcity afflicts the nation. Every day brings us accounts from different parts of the country, and every account is a new evidence of the general calamity, of the want of employment for the poor, and its necessary consequence, the want of food.

He that is scarce able to preserve himself, cannot be expected to assist others; nor is that money to be granted to foreign powers, which is wanted for the support of our fellow-subjects, who are now languishing with diseases, which unaccustomed hardships and unwholesome provisions have brought upon them, while we are providing against distant dangers, and bewailing the distresses of the house of Austria.

Let us not add to the miseries of famine the mortifications of insult and neglect; let our countrymen, at least, divide our care with our allies, and while we form schemes for succouring the queen of Hungary, let us endeavour to

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alleviate nearer distresses, and prevent or pacify domestick discontents.

If there be any man whom the sight of misery cannot move to compassion, who can hear the complaints of want without sympathy, and see the general calamity of his country without employing one hour on schemes for its relief; let not that man dare to boast of integrity, fidelity, or honour; let him not presume to recommend the preservation of our faith, or adherence to our confederates: that wretch can have no real regard to any moral obligation, who has forgotten those first duties which nature impresses; nor can he that neglects the happiness of his country, recommend any good action for a good reason.

It should be considered, sir, that we can only be useful to our allies, and formidable to our enemies, by being unanimous and mutually confident of the good intentions of each other, and that nothing but a steady attention to the publick welfare, a constant readiness to remove grievances, and an apparent unwillingness to impose new burdens, can produce that unanimity.

As the cause is, therefore, necessarily to precede the effect, as foreign influence is the consequence of happiness at home, let us first endeavour to establish that alacrity and security that may animate the people to assert their ancient superiority to other nations, and restore that plenty which may raise them above any temptation to repine at assistance given to our allies.

No man, sir, can very solicitously watch over the welfare of his neighbour whose mind is depressed by poverty, or distracted by terrour; and when the nation shall see us anxious for the preservation of the queen of Hungary, and unconcerned about the wants of our fellow-subjects, what can be imagined, but that we have some method of exempting ourselves from the common distress, and that we regard not the publick misery when we do not feel it?

Sir ROBERT WALPOLE replied, to the following effect:—Sir, it is always proper for every man to lay down some principles upon which he proposes to act, whether in publick or private; that he may not be always wavering, un-

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certain, and irresolute; that his adherents may know what they are to expect, and his adversaries be able to tell why they are opposed.

It is necessary, sir, even for his own sake, that he may not be always struggling with himself; that he may know his own determinations, and enforce them by the reasons which have prevailed upon him to form them; that he may not argue in the same speech to contrary purposes, and weary the attention of his hearers with contrasts and antitheses.

When a man admits the necessity of granting a supply, expatiates upon the danger that may be produced by retarding it, declares against the least delay, however speciously proposed, and enforces the arguments which have been already offered to show how much it is our duty and interest to allow it; may it not reasonably be imagined, that he intends to promote it, and is endeavouring to convince them of that necessity of which he seems himself convinced?

But when the same man proceeds to display, with equal eloquence, the present calamities of the nation, and tells to how much better purposes the sum thus demanded may be applied; when he dwells upon the possibility that an impolitick use may be made of the national treasure, and hints that it may be asked for one purpose and employed to another, what can be collected from his harangue, however elegant, entertaining, and pathetick? How can his true opinion be discovered? Or how shall we fix such fugitive reasonings, such variable rhetorick?

I am not able, sir, to discern, why truth should be obscured; or why any man should take pleasure in heaping together all the arguments that his knowledge may supply, or his imagination suggest, against a proposition which he cannot deny. Nor can I assign any good purpose that can be promoted by perpetual renewals of debate, and by a repetition of objections, which have in former conferences, on the same occasion, been found of little force.

When the system of affairs is not fully laid open, and the schemes of the administration are in part unknown, it

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is easy to raise objections formidable in appearance, which, perhaps, cannot be answered till the necessity of secrecy is taken away. When any general calamity has fallen upon a nation, it is a very fruitful topick of rhetorick, and may be very pathetically exaggerated, upon a thousand occasions to which it has no necessary relation.

Such, in my opinion, sir, is the use now made of the present scarcity, a misfortune inflicted upon us by the hand of providence alone; not upon us only, but upon all the nations on this side of the globe, many of which suffer more, but none less than ourselves.

If at such a time it is more burdensome to the nation to raise supplies, it must be remembered, that it is in proportion difficult to other nations to oppose those measures for which the supplies are granted; and that the same sum is of greater efficacy in times of scarcity than of plenty.

Our present distress will, I hope, soon be at an end; and, perhaps, a few days may produce at least some alteration. It is not without reason, that I expect the news of some successful attempts in America, which will convince the nation, that the preparations for war have not been idle shows, contrived to produce unnecessary expenses.

In the mean time it is necessary that we support that power which may be able to assist us against France, the only nation from which any danger can threaten us, even though our fleets in America should be unsuccessful.

If we defeat the Spaniards, we may assist the house of Austria without difficulty, and if we fail in our attempts, their alliance will be more necessary. The sum demanded for this important purpose cannot be censured as exorbitant, yet will, I hope, be sufficient: if more should hereafter appear necessary, I doubt not but it will be granted.

The question passed without opposition.

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HOUSE OF COMMONS, DECEMBER 1, 1741.

The new house of commons being met, the usher came from the house of lords, with his majesty's commands for their immediate attendance, when they were ordered to choose a speaker; and being returned, Mr. PELHAM addressed himself in the following manner to the clerk of the house:

Mr. HARDINGE,

As we are here assembled, in pursuance of the imperial summons, it is necessary, in obedience to his majesty's commands, and the established custom of this house, that we proceed immediately to the choice of a person qualified for the chair.———Gentlemen, it is with no common degree of satisfaction, that I observe this assembly so numerous on the first day; because whatever is transacted by us, must necessarily be considered by the nation with more regard, as it is approved by a greater number of their representatives; and because the present affair, which relates particularly to this house, must be more satisfactorily conducted, as our number is greater; since every man must willingly abide by his own choice, and cheerfully submit to that authority, of which he has himself concurred to the establishment.

The qualifications required in the person who shall fill the chair, to his own reputation, and the advantage of the house, it is not necessary minutely to recount; it being obvious to every gentleman who hears me, that he must possess such an equality of temper, as may enable him always to preserve a steady and impartial attention, neither discomposed by the irregularities into which some gentlemen, unacquainted with the forms of this assembly, may easily fall, nor disconcerted by the heat and turbulence to which, in former parliaments, some of those whose experience might have taught them the necessity of decency, have been too often hurried by the eagerness of contro-

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versy. That he must add to his perpetual serenity, such a firmness of mind, as may enable him to repress petulance and subdue contumacy, and support the orders of the house, in whatever contrariety of counsels, or commotion of debate, against all attempts of infraction or deviation. That to give efficacy to his interpositions, and procure veneration to his decisions, he must, from his general character and personal qualities, derive such dignity and authority, as may naturally dispose the minds of others to obedience, as may suppress the murmurs of envy, and prevent the struggles of competition.

These qualifications were eminently conspicuous in the gentleman who filled the chair in the earlier part of my life, and who is now one of the ornaments of the other house. Such were his abilities, and such his conduct, that it would be presumptuous in any man, however endowed by nature, or accomplished by study, to aspire to surpass him; nor can a higher encomium be easily conceived, than this house bestowed upon that person, who was thought worthy to succeed him.

The office which we have now to confer, is not only arduous with regard to the abilities necessary to the execution of it, but extremely burdensome and laborious, such as requires continual attendance, and incessant application; nor can it be expected that any man would engage in it, who is not ready to devote his time and his health to the service of the publick, and to struggle with fatigue and restraint for the advantage of his country.

Such is the gentleman whom I shall propose to your choice; one whose zeal for the present imperial house, and the prosperity of the nation, has been always acknowledged, and of whom it cannot be suspected that he will be deterred by any difficulties from a province which will afford him so frequent opportunities of promoting the common interest of the emperour and the people.

What success may be expected from his endeavours, we can only judge from his present influence; influence produced only by his private virtues; but so extensive in that part of the nation which lies within the reach of his bene-

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ficence, and the observation of his merit, that it sets him not only above the danger, but above the fear of opposition, and secures him a seat in this assembly without contest.

Thus deputed by his country to many successive senates, he has acquired an unrivalled degree of knowledge in the methods of our proceedings, and an eminent dexterity in digesting them with that order and perspicuity by which only the transaction of great affairs can be made expeditious, and the discussion of difficult questions be disentangled from perplexity; qualities which are now made particularly necessary by the importance of the subjects to be considered in this senate: so that I doubt not but you will unanimously concur with me in desiring that the chair may be filled by a person eminently distinguished by his knowledge, his integrity, his diligence, and his reputation; and therefore I move, without scruple, that the right honourable Arthur Onslow, esquire, be called to the chair.

Then Mr. CLUTTERBUCK seconded the motion in this manner:—That I am not able to add any thing to the encomium of the right honourable gentleman nominated to the president's chair, gives me no concern, because I am confident, that in the opinion of this assembly, his name alone includes all panegyrick, and that he who recommends Arthur Onslow, esquire, will never be required to give the reason of his choice. I therefore rise now only to continue the common methods of the house, and to second a motion which I do not expect that any will oppose.

[Here the whole assembly cried out, with a general acclamation, Onslow, Onslow.]

Mr. ONSLOW then rose up and said:—Though I might allege many reasons against this choice, of which the strongest is my inability to discharge the trust conferred upon me in a manner suitable to its importance, yet I have too high an idea of the wisdom of this assembly, to imagine that they form any resolution without just motives; and therefore shall think it my duty to comply with their determination, however opposite to my own opinion.

Mr. Pelham and Mr. Clutterbuck then led him to the chair, where, before he went up to it, he desired, That the

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house would consider how little he was qualified for the office which they were about to confer upon him, and fix their choice upon some other person, who might be capable of discharging so important a trust.

The members calling out, The chair, chair, chair, he ascended the step, and then addressed himself thus to the house:—Gentlemen, since it is your resolution, that I should once more receive the honour of being exalted to this important office, for which it is not necessary to mention how little I am qualified, since I may hope that those defects which have hitherto been excused, will still find the same indulgence; my gratitude for a distinction so little deserved, will always incite me to consult the honour of the house, and enable me to supply, by duty and diligence, what is wanting in my knowledge and capacity.

DECEMBER 4, 1741.

The king came again to the house of lords, and the commons being sent for, his majesty approved their choice of a president, and made a speech to both houses, in which he represented to them, That their counsel was in a particular manner necessary, as they were engaged in a war with Spain, as the affairs of all Europe were in confusion, by the confederacy of many formidable powers for the destruction of the house of Austria; that both houses of the preceding session had come to the strongest resolutions in favour of the queen of Hungary, but that the other powers who were equally engaged to support her, had not yet acted according to their stipulations; that he had endeavoured to assist her ever since the death of the emperour Charles, and hoped that a just sense of common danger would induce other nations to unite with him; but that in this uncertain situation, it was necessary that Britain should be in a condition of supporting itself and its allies, as any exigency might require. He therefore ordered the estimates for the ensuing year to be laid before the commons.—This speech being under the consideration of the house of lords, lord MILTON spoke in the following manner:

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My lords, though the present perplexity of our affairs, the contrariety of opinions produced by it, and the warmth with which each opinion will probably be supported, might justly discourage me from proposing any of my sentiments to this great assembly, yet I cannot repress my inclination to offer a motion, in my opinion, regular and seasonable, and which, if it should appear otherwise to your lordships, will, I hope, though it should not be received, at least be forgiven, because I have never before wearied your patience, or interrupted or retarded your consultations.

But I am very far from imagining that by this motion I can give any occasion to debate or opposition, because I shall propose no innovation in the principles, or alteration of the practice of this assembly, nor intend any thing more than to lay before your lordships my opinion of the manner in which it may be proper to address his majesty.

To return him our humble thanks for his most gracious speech from the throne, and, at the same time, to present unto his majesty our sincere and joyful congratulations on his safe and happy return into this empire.

To observe with the utmost thankfulness the great concern which his majesty has been pleased to express for carrying on the just and necessary war against Spain, which we hope, by the divine blessing upon his majesty's arms, will be attended with success equal to the justice of his cause, and the ardent wishes of his people. That,

His majesty has so truly represented the impending dangers to which Europe is exposed, in the present critical conjuncture, as must awaken, in every one, an attention suitable to the occasion: and we cannot but be fully sensible of the evil consequences arising from the designs and enterprises, formed and carrying on for the subversion or reduction of the house of Austria, which threaten such apparent mischiefs to the common cause.

To acknowledge his imperial goodness in expressing so earnest a desire to receive, and so high a regard for, the advice of his parliament: his majesty, secure of the loyalty and affections of his people, may rely upon that, with the best-grounded confidence; and to assure his majesty, that

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we will not fail to take the important points, which he has been pleased to mention to us, into our most serious consideration; and, in the most dutiful manner, to offer to his majesty such advice as shall appear to us to be most conducive to the honour and true interest of his crown and kingdoms. To assure his majesty that we have a due sense, how much the present posture of affairs calls upon us for that unanimity, vigour, and despatch, which his majesty has so wisely recommended to us; and to give his majesty the strongest assurances, that we will vigorously and heartily concur in all just and necessary measures for the defence and support of his majesty, the maintenance of the balance and liberties of Europe, and the assistance of our allies.

. That as duty and affection to his majesty are, in us, fixed and unalterable principles, so we feel the impressions of them, at this time, so strong and lively in our breasts, that we cannot omit to lay hold on this opportunity of approaching his imperial presence, to renew the most sincere professions of our constant and inviolable fidelity: and to promise his majesty, that we will, at the hazard of all that is dear to us, exert ourselves for the defence and preservation of his sacred person and government, and the maintenance of the protestant succession in his imperial house, on which the continuance of the protestant religion, and the liberties of Britain, do, under God, depend.

My lords, as this address will not obstruct any future inquiries, by any approbation of past measures, either positive or implied, I doubt not but your lordships will readily concur in it, and am persuaded, that it will confirm his majesty's regard for our councils, and confidence in our loyalty.

Lord LOVEL spoke next, to this effect:—My lords, the dangers which have been justly represented by his majesty, ought to remind us of the importance of unusual circumspection in our conduct, and deter us from any innovations, of which we may not foresee the consequences, at a time when there may be no opportunity of repairing any miscarriage, or correcting any mistake.

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There appears, my lords, not to be at this time any particular reason for changing the form of our addresses, no privileges of our house have been invaded, nor any designs formed against the publick. His majesty has evidently not deviated from the practice of the wisest and most beloved of our British monarchs; he has, upon this emergence of unexpected difficulties, summoned the senate to counsel and assist him; and surely it will not be consistent with the wisdom of this house to increase the present perplexity of our affairs, by new embarrassments, which may be easily imagined likely to arise from an address different from those which custom has established.

The prospect which now lies before us, a prospect which presents us only with dangers, distraction, invasions, and revolutions, ought to engage our attentions, without leaving us at leisure for disputations upon ceremonies or forms. It ought to be the care of every lord in this house, not how to address, but how to advise his majesty; how to assist the councils of the publick, and contribute to such determinations, as may avert the calamities that impend over mankind, and stop the wild excursions of power and ambition.

We ought to reflect, my lords, that the expectations of all Europe are raised by the convocation of this assembly; and that from our resolutions, whole nations are waiting for their sentence. And how will mankind be disappointed when they shall hear, that instead of declaring war upon usurpers, or imposing peace on the disturbers of mankind, instead of equipping navies to direct the course of commerce, or raising armies to regulate the state of the continent, we met here in a full assembly, and disagreed upon the form of an address.

Let us, therefore, my lords, lay aside, at least for this time, all petty debates and minute inquiries, and engage all in the great attempt of reestablishing quiet in the world, and settling the limits of the kingdoms of Europe.

Then lord CARTERET spoke, in substance as follows:—My lords, there is, I find, at least one point upon which it is probable that those will now agree whose sentiments

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have hitherto been, on almost every occasion, widely different. The danger of our present situation is generally allowed; but the consequences deduced from it are so contrary to each other, as give little hopes of that unanimity which times of danger particularly require.

It is alleged by the noble lord who spoke last, that since we are now involved in difficulties, we ought only to inquire how to extricate ourselves, and, therefore, ought not to leave ourselves the right of inquiring how we were entangled in them, lest the perplexity of different considerations should dissipate our attention, and disable us from forming any useful determinations, or exerting any vigorous efforts for our deliverance.

But, in my opinion, my lords, the most probable way of removing difficulties, is to examine how they were produced, and, by consequence, to whom they are to be imputed; for certainly, my lords, it is not to be hoped that we shall regain what we have lost, but by measures different from those which have reduced us to our present state, and by the assistance of other counsellors than those who have sunk us into the contempt, and exposed us to the ravages of every nation throughout the world.

That this inquiry, my lords, may be free and unobstructed, it is necessary to address the throne, after the manner of our ancestors, in general terms, without descending to particular facts, which, as we have not yet examined them, we can neither censure nor approve.

It has been objected by the noble lord, that foreign nations will be disappointed by hearing, that instead of menaces of vengeance, and declarations of unalterable adherence to the liberties of Europe, we have wasted our time at this important juncture in settling the form of an address.

That little time may be wasted on this occasion, I hope your lordships will very speedily agree to an address suitable to the dignity of those who make it, and to the occasion upon which it is made; for I cannot but allow, that the present state of affairs calls upon us for despatch: but though business ought, at this time, undoubtedly to be

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expedited, I hope it will not be precipitated; and if it be demanded that the most important questions be first determined, I know not any thing of greater moment than that before us.

How we shall gratify the expectations of foreign powers, ought not, my lords, to be our first or chief consideration; we ought, certainly, first to inquire how the people may be set free from those suspicions, which a long train of measures, evidently tending to impair their privileges, has raised; and how they may be confirmed in their fidelity to the government, of which they have for many years found no other effects than taxes and exactions, for which they have received neither protection abroad, nor encouragement at home.

But, my lords, if it be necessary to consult the inclinations, and cultivate the esteem of foreign powers, I believe nothing will raise more confidence in our allies, if there be any who are not now ashamed of that name, or more intimidate those whose designs it is our interest to defeat, than an open testimony of our resolution no longer to approve that conduct by which the liberty of half Europe has been endangered; and not to lavish praises on those men, who have in twenty years never transacted any thing to the real benefit of their country, and of whom it is highly probable that they have in the present war stipulated for the defeat of all our attempts, and agreed, by some execrable compact, to facilitate the exaltation of the house of Bourbon.

Upon what facts I ground accusations so atrocious may justly be inquired by your lordships; nor shall I find any difficulty in answering your demand. For, if we extend our view over the whole world, and inquire into the state of all our affairs, we shall find nothing but defeats, miscarriages, and impotence, with their usual consequences, contempt and distrust. We shall discover neither any tokens of that fear among our enemies, which the power of the nation, and the reputation of our former victories, might naturally produce; nor any proofs of that confidence among those whom we still continue to term our allies,

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which the vigour with which we have formerly supported our confederacies, give us a right to expect. Those whom we once trampled, insult us; and those whom we once protected, give us no credit.

How reasonably, my lords, all nations have withdrawn from us their reverence and esteem, will appear by a transient examination of our late conduct, whether it regarded Europe in general, or influenced only the particular affairs of the British nation; for it will appear beyond possibility of doubt, that whoever has trusted the administration, whether their own country, or any foreign powers, has trusted only to be betrayed.

There is among our allies none whom we are more obliged to support than the queen of Hungary, whose rights we are engaged, by all the solemnities of treaties, to defend, and in whose cause every motive operates that can warm the bosom of a man of virtue. Justice and compassion plead equally on her side, and we are called upon to assist her by our own interest, as well as the general duty of society, by which every man is required to prevent oppression.

What has been the effect of all these considerations may easily be discovered from the present state of the continent, which is ravaged without mercy by the armies of Spain and France. Why all succours have been denied the queen of Hungary, and why the inveterate and hereditary enemies of our nation, are suffered to enlarge their dominions without resistance; why the rivals of our trade are left at full liberty to equip their squadrons, and the persecutors of our religion suffered to overrun those countries from whence only we can hope for assistance, when the hatred which the difference of opinions produces, shall threaten us with invasions and slavery, the whole world has long asked to no purpose, and, therefore, it is without prospect of receiving satisfaction that I engage in the same inquiry.

Yet, since it is our duty to judge of the state of the publick, and a true judgment can be the result only of accurate examination, I shall proceed, without being discouraged by

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the ill success of former attempts, to discover the motives of our late measures, and the ends intended to be produced by them.

Why the queen of Hungary was not assisted with land-forces, I shall, at present, forbear to ask; that she expected them is, indeed, evident from her solicitations; and, I suppose, it is no less apparent from treaties, that she had a right to expect them; nor am I able to conceive, why subsidies have been paid for troops which are never to be employed, or why foreign princes should be enriched with the plunder of a nation which they cannot injure, and do not defend.

But I know, my lords, how easily it may be replied, that the expenses of a land war are certain, and the event hazardous, and that it is always prudent to act with evident advantage on our side, and that the superiority of Britain consists wholly in naval armaments.

That the fleets of Britain are equal in force and number of ships to the united navies of the greatest part of the world; that our admirals are men of known bravery, and long experience, and, therefore, formidable not only for their real abilities and natural courage, but for the confidence which their presence necessarily excites in their followers, and the terrour which must always accompany success, and enervate those who are accustomed to defeats; that our sailors are a race of men distinguished by their ardour for war, and their intrepidity in danger, from the rest of the human species; that they seem beings superiour to fear, and delighted with those objects which cannot be named without filling every other breast with horrour; that they are capable of rushing upon apparent destruction without reluctance, and of standing without concern amidst the complicated terrours of a naval war, is universally known, and confessed, my lords, even by those whose interest it is to doubt or deny it.

Upon the ocean, therefore, we are allowed to be irresistible; to be able to shut up the ports of the continent, imprison the nations of Europe within the limits of their own territories, deprive them of all foreign assistance, and put

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a stop to the commerce of the world. It is allowed that we are placed the sentinels at the barriers of nature, and the arbiters of the intercourse of mankind.

These are appellations, my lords, which, however splendid and ostentatious, our ancestors obtained and preserved with less advantages than we possess, by whom I am afraid they are about to be forfeited. The dominion of the ocean was asserted in former times in opposition to powers far more able to contest it, than those which we have so long submissively courted, and of which we are now evidently afraid.

For that we fear them, my lords, they are sufficiently convinced; and it must be confessed, with whatsoever shame, that their opinion is well founded; for to what motive but fear can it be imputed, that we have so long supported their insolence without resentment, and their ravages without reprisals; that we have fitted out fleets without any design of dismissing them from our harbours, or sent them to the sea only to be gazed at from the shores, by those whose menaces or artifice had given occasion to their equipment, and in whom they raised no other emotions than contempt of our cowardice, or pity of our folly?

To what, my lords, can it be attributed, that the queen of Hungary has yet received no assistance from allies thus powerful; from allies whose fleets cover the sea, whose commerce extends to the remotest part of the world, and whose wealth may be justly expected to be proportionate to their commerce. To what can we ascribe the confidence with which the house of Bourbon threatens the ruin of a princess, who numbers among her allies the emperour of Britain?

Nothing is more evident, my lords, than that the queen of Hungary has been disappointed of the advantages which she expected from her friendship with this nation, only by a degree of cowardice too despicable to be mentioned without such terms, as the importance of this debate, and the dignity of this assembly, do not admit; nor is it less certain, from the conduct of her enemies, that they knew what

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would be our measures, and confided for security in that cowardice which has never yet deceived them.

It cannot, my lords, be asserted, that our ally, however distressed, has yet received the least assistance from our arms; neither the justice of our cause has yet been able to awaken our virtue, nor the inseparable union of her interest with our own, to excite our vigilance.

But, perhaps, my lords, we have had no opportunity of exerting our force; perhaps the situation both of our enemies and ally was such, that neither the one could be protected, nor the other opposed, by a naval power; and, therefore, our inactivity was the effect not of want of courage, but want of opportunity.

Though our ministers, my lords, have hitherto given no eminent proofs of geographical knowledge, or of very accurate acquaintance with the state of foreign countries, yet there is reason to believe that they must at some time have heard or read, that the house of Austria had territories in Italy; they must have been informed, unless their disbursements for secret service are bestowed with very little judgment, that against these dominions an army has been raised by the Spaniards; and they must have discovered, partly by the information of their correspondents, partly by the inspection of a map, and partly by the sagacity which distinguishes them from all past and present ministers, that this army was to be transported by sea from the coast of Spain to that of Italy.

This knowledge, my lords, however attained, might have furnished minds, which have always been found so fruitful of expedients, with a method of hindering the descent of the Spanish troops, for which nothing more was necessary than that they should have ordered admiral Haddock, instead of retiring before the Spanish fleet of war, and watching them only that they might escape, to lie still before Barcelona, where the transports were stationed, with a convoy of only three men of war, and hinder their departure.

I hope it will be observed by your lordships, that though

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the road of Barcelona is open and indefensible, though the fleet was unprotected by ships of force, and though they lay, as I am informed, beyond the reach of the guns on the fortifications upon the shore, I do not require that Haddock should have destroyed the army and the ships.

I am too well acquainted, my lords, with the lenity of our ministers to the enemies of their country, and am too well convinced of the prudence and tenderness of the restrictions by which the power of our admirals is limited, to expect that our guns should be ever used but in salutations of respect, or exultations on the conclusion of a peace. I am convinced, that our ministers would shudder at the name of bloodshed and destruction, and that they had rather hear that a thousand merchants were made bankrupts by privateers, or all our allies deprived of their dominions, than that one Spanish ship was sunk or burnt by the navies of Britain.

But, my lords, though they are willing to spare the blood of their enemies, yet surely they might have obstructed their enterprises; they might have withheld those whom they were unwilling to strike, and have endeavoured to fright those whom they determined never to hurt.

To speak in terms more adapted to the subject before us: that the fleet of Spain, a fleet of transports with such a convoy, should lie three weeks in an open road, professedly fitted out against an ally united to us by every tie of nature, and of policy, by the solemnity of treaties, and conformity of interest; that it should lie undisturbed almost within sight of a British navy; that it should lie there not only without danger, but without apprehension of danger, has raised the astonishment of every nation in Europe, has blasted the reputation of our arms, impaired the influence of our counsels, and weakened the credit of our publick faith.

There may be some, my lords, that will impute this absurdity of our conduct, this disregard of our interest, this desertion of our alliances, and this neglect of the most apparent opportunities of success, not to cowardice, but treachery; a cause more detestable, as more atrociously criminal.

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This opinion, my lords, I think it not necessary to oppose, both because it cannot be charged with improbability, and because I think it may be easily reconciled with my own assertions; for cowardice abroad produces treachery at home, and they become traitors to their country who are hindered by cowardice from the prosecution of her interest, and the opposition of her enemies.

It may however be proper to declare, my lords, that I do not impute this fatal cowardice to those who are intrusted with the command of our navies, but to those from whom they are obliged to receive their instructions, and upon whom they unhappily depend for the advancement of their fortunes.

It is at least reasonable to impute miscarriages rather to those, who are known to have given, formerly, such orders as a brave admiral perished under the ignominious necessity of observing, than to those of whom it cannot be said that any former part of their lives has been stained with the reproach of cowardice; at least it is necessary to suspend our judgment, till the truth shall be made apparent by a rigid inquiry; and it is, therefore, proper to offer an address in general terms, by which neither the actions or counsels of any man shall be condemned nor approved.

It would be more unreasonable to charge our soldiers or our sailors with cowardice, because they have shown, even in those actions which have failed of success, that they miscarried rather through temerity than fear; and that whenever they are suffered to attack their enemies, they are ready to march forward even where there is no possibility of returning, and that they are only to be withheld from conquest by obstacles which human prowess cannot surmount.

Such, my lords, was the state of those heroes who died under the walls of Carthagena; that died in an enterprise so ill concerted, that I ventured, with no great skill in war, and without the least pretence to prescience, to foretell in this house that it would miscarry.

That it would, that it must miscarry; that it was even intended only to amuse the nation with the appearance of

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an expedition, without any design of weakening our enemies, was easily discovered; for why else, my lords, was the army composed of men newly drawn from the shop, and from the plough, unacquainted with the use of arms, and ignorant of the very terms of military discipline, when we had among us large bodies of troops long kept up under the appearance of a regular establishment; troops of whom we have long felt the expense, but of which the time is not, it seems, yet come, that we are to know the use.

These men, my lords, who have so long practised the motions of battle, and who have given in the park so many proofs of their dexterity and activity, who have at least learned to distinguish the different sounds of the drum, and know the faces and voices of the subaltern officers, at least, might have been imagined better qualified for an attempt upon a foreign kingdom, than those who were necessarily strangers to every part of the military operations, and might have been sent upon our first declaration of war, while the new-raised forces acquired at home the same arts under the same inspection.

But, my lords, whether it was imagined that new forces would be long before they learned the implicit obedience necessary to a soldier; whether it was imagined that it would not be easy on a sudden to collect troops of men so tall and well proportioned, or so well skilled in the martial arts of curling and powdering their hair; or whether it would have been dangerous to have deprived the other house of the counsels and votes of many worthy members, who had at the same time a seat in the senate, and a commission in the army, it was thought necessary to send out raw forces to attack our enemies, and to keep our disciplined troops at home to awe the nation.

Nor did the minister, my lords, think it sufficient to obstruct the expedition to America by employing new-raised troops, unless they were likewise placed under the command of a man, who, though of undoubted courage, was, with respect to the conduct of an army, as ignorant as themselves. It was therefore determined, my lords, that all those officers who had gained experience in former wars, and purchased military knowledge by personal dan-

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ger, should be disappointed and rejected for the sake of advancing a man, who, as he had less skill, was less likely to be successful, and was, therefore, more proper to direct an expedition proposed only to intimidate the British nation.

That the event was such as might be expected from the means, your lordships need not to be informed, nor can it be questioned with what intentions these means were contrived.

I am very far, my lords, from charging our ministers with ignorance, or upbraiding them with mistakes on this occasion, for their whole conduct has been uniform, and all their schemes consistent with each other: nor do I doubt their knowledge of the consequence of their measures, so far as it was to be foreseen by human prudence.

Whether they have carried on negotiations, or made war; whether they have conducted our own affairs, or those of our ally the queen of Hungary, they have still discovered the same intention, and promoted it by the same means. They have suffered the Spanish fleets to sail first for supplies from one port to another, and then from the coasts of Spain to those of America. They have permitted the Spaniards, without opposition, to land in Italy, when it was not necessary even to withhold them from it by any actual violence; for had the fleet, my lords, been under my command, I would have only sent the Spanish admiral a prohibition to sail, and am sure it would have been observed.

They have neglected to purchase the friendship of the king of Prussia, which might, perhaps, have been obtained upon easy terms, but which they ought to have gained at whatever rate; and, to conclude, we have been lately informed that the neutrality is signed.

Such, my lords, is the conduct of the ministry, by which it cannot be denied that we are involved in many difficulties, and exposed to great contempt; but from this contempt we may recover, and disentangle ourselves from these difficulties, by a vigorous prosecution of measures opposite to those by which we have been reduced to our present state.

If we consider, without that confusion which fear natu-

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rally produces, the circumstances of our affairs, it will appear that we have opportunities in our hands of recovering our losses, and reestablishing our reputation; those losses which have been suffered while we had two hundred ships of war at sea, which have permitted three hundred merchant-ships to be taken; and that reputation which has been destroyed when there was no temptation either to a compliance with our enemies, or to a desertion of our friends.

It is well known, my lords, that we make war at present rather with the queen than the people of Spain; and it is reasonable to conclude, that a war carried on contrary to the general good, and against the general opinion, cannot be lasting.

It is certain that the Spaniards, whenever they have been attacked by men acquainted with the science of war, and furnished with necessary stores for hostile attempts, have discovered either ignorance or cowardice, and have either fled meanly, or resisted unskilfully.

It is, therefore, probable, my lords, that either our enemies will desist from the prosecution of a war, which few of them approve; or that we shall, by vigorous descents upon their coasts, and their colonies, the interruption of their trade, and the diminution of their forces, soon compel them to receive peace upon our own terms.

But these advantages, my lords, are only to be expected from a change of conduct, which change can never be produced by a seeming approbation of the past measures. I am therefore of opinion, that we ought to address the throne in general terms, according to the ancient practice of this house.

In considering the address proposed, I cannot but conclude that it is too much diffused, and that it would be more forcible if it was more concise: to shorten it will be no difficult task, by the omission of all the clauses that correspond with particular parts of his majesty's speech, which I cannot discover the necessity of repeating.

In the congratulation to his majesty upon his return to his once glorious dominions, no lord shall concur more

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readily or more zealously than myself; nor shall I even deny to extend my compliments to the ministry, when it shall appear that they deserve them; but I am never willing to be lavish of praise, because it becomes less valuable by being prodigally bestowed; and on occasions so important as this, I can never consent to praise before I have examined, because inquiry comes too late after approbation.

Lord CHOLMONDELEY rose next, and spoke to this effect: — My lords, if the dangers that threaten our happiness and our safety be such as they have been represented; if ambition has extended her power almost beyond a possibility of resistance, and oppression, elated with success, begins to design no less than the universal slavery of mankind; if the powers of Europe stand aghast at the calamities which hang over them, and listen with helpless confusion to that storm which they can neither avoid nor resist, how ought our conduct to be influenced by this uncommon state of affairs? Ought we not to catch the alarm while it is possible to make preparation against the danger? Ought we not to improve, with the utmost diligence, the important interval? to unite our counsels for the protection of liberty, and exert all our influence against the common enemies of society, the unwearied disturbers of the tranquillity of mankind?

To what purpose, my lords, are the miseries that the present distractions of Europe may bring upon us, so pathetically described, and so accurately enumerated, if they are to produce no effect upon our counsels? And what effect can be wished from them, but unanimity, with that vigour and despatch which are its natural consequences, and that success with which steadiness and expedition are generally rewarded?

It might be hoped, my lords, that those who have so clear a view of our present embarrassments, and whose sagacity and acuteness expose them to a sensibility of future miseries, perhaps more painful than would be excited by any present and real calamities, should not be thus tortured to no purpose. Every passion, my lords, has its proper ob-

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ject by which it may be laudably gratified, and every disposition of mind may be directed to useful ends. The true use of that foresight of future events, with which some great capacities are so eminently endowed, is that of producing caution and suggesting expedients. What advantage, my lords, would it be to navigators, that their pilot could, by any preternatural power, discover sands or rocks, if he was too negligent or too stubborn to turn the vessel out of the danger?

Or how, my lords, to pursue the comparison, would that pilot be treated by the crew, who, after having informed them of their approach to a shoal or whirlpool, and set before them, with all his rhetorick, the horrours of a shipwreck, should, instead of directing them to avoid destruction, and assisting their endeavours for their common safety, amuse them with the miscarriages of past voyages, and the blunders and stupidity of their former pilot?

Whether any parallel can be formed between such ill-timed satire, and wild misconduct, and the manner in which your lordships have been treated on this occasion, it is not my province to determine. Nor have I any other design than to show that the only proper conduct in time of real danger, is preparation against it; and that wit and eloquence themselves, if employed to any other purpose, lose their excellence, because they lose their propriety.

It does not appear, my lords, that the address now proposed includes any approbation of past measures, and therefore it is needless to inquire, on this occasion, whether the conduct of our ministers or admirals deserves praise or censure.

It does not appear, my lords, that by censuring any part of our late conduct, however detrimental to the publick it may at present be imagined, any of our losses will be repaired, or any part of our reputation retrieved; and, therefore, such proceedings would only retard our counsels, and divert our thoughts from more important considerations; considerations which his majesty has recommended to us, and which cannot be more strongly pressed upon us than by the noble lord who opposed the motion; for he most

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powerfully incites to unanimity and attention, who most strongly represents the danger of our situation.

Of the good effects of publick consultations, I need not observe, my lords, that they arise from the joint endeavour of many understandings cooperating to the same end; from the reasonings and observations of many individuals of different studies, inclinations, and experience, all directed to the illustration of the same question, which is, therefore, so accurately discussed, so variously illustrated, and so amply displayed, that a more comprehensive view is obtained of its relations and consequences, than can be hoped from the wisdom or knowledge of any single man.

But this advantage, my lords, can only be expected from union and concurrence; for when the different members of a national council enter with different designs, and exert their abilities not so much to promote any general purposes, as to obviate the measures, and confute the arguments of each other, the publick is deprived of all the benefit that might be expected from the collective wisdom of assemblies, whatever may be the capacity of those who compose them. The senate thus divided and disturbed, will, perhaps, conclude with less prudence than any single member, as any man may more easily discover truth without assistance, than when others of equal abilities are employed in perplexing his inquiries, and interrupting the operations of his mind.

Thus, my lords, it might be safer for a nation, even in time of terrour and disorder, to be deprived of the counsels of this house, than to confide in the determinations of an assembly not uniform in its views, nor connected in its interests; an assembly from which little can be hoped by those who observe that it cannot, without a tedious debate, prolonged with all the heat of opposition, despatch the first and most cursory part of publick business,—an address to his majesty.

It has been for a long time a practice too frequent, to confound past with present questions, to perplex every debate by an endless multiplication of objects, and to ob-

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struct our determinations by substituting one inquiry in the place of another.

The only question, my lords, now before us is, whether the address which the noble lord proposed, implies any commendation of past measures, not whether those measures deserve to be commended; which is an inquiry not at present to be pursued, because we have not now before us the means of attaining satisfaction in it, and which ought, therefore, to be delayed till it shall be your lordships' pleasure to appoint a day for examining the state of the nation, and to demand those letters, instructions, and memorials, which are necessary to an accurate and senatorial disquisition.

In the mean time, since it is at least as expedient for me to vindicate, as for others to accuse those of whose conduct neither they nor I have yet any regular cognizance, and I may justly expect from the candour of your lordships, that you will be no less willing to hear an apologist than a censurer, I will venture to suspend the true question a few moments, to justify that conduct which has been so wantonly and so contemptuously derided.

That the preservation of the house of Austria, my lords, ought to engage the closest attention of the British nation, is freely confessed. It is evident that by no other means our commerce, our liberty, or our religion can be secured, or the house of Bourbon restrained from overwhelming the universe. It is allowed that the queen of Hungary has a claim to our assistance by other ties than those of interest; that it was promised upon the faith of treaties, and it is demanded by the loudest calls of honour, justice and compassion. And did it not appear too juvenile and romantick, I might add, that her personal excellencies are such as might call armies to her assistance from the remotest corners of the earth; that her constancy in the assertion of her rights might animate every generous mind with equal firmness; and her intrepidity in the midst of danger and distress, when every day brings accounts of new encroachments, and every new encroachment discourages those from whom she may claim assistance from declaring in her

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favour, might inspire with ardour for her preservation all those in whom virtue can excite reverence, or whom calamities unjustly inflicted can touch with indignation.

Nor am I afraid to affirm, my lords, that the condition of this illustrious princess raised all these emotions in the court of Britain, and that the vigour of our proceedings will appear proportioned to our ardour for her success. No sooner was the true state of affairs incontestably known, than twelve thousand auxiliary troops were hired, and commanded to march to her assistance, but her affairs making it more eligible for her to employ her own subjects in her defence, and the want of money being the only obstacle that hindered her from raising armies proportioned to those of her enemies, she required, that instead of troops, a supply of money might be sent her, with which his majesty willingly complied.

The British ministers in the mean time endeavoured, by the strongest arguments and most importunate solicitations, to animate her allies to equal vigour, or to procure her assistance from other powers whose interest was more remotely affected by her distress: if the effects of their endeavours are not yet manifest, it cannot be imputed to the want either of sincerity or diligence; and if any other powers should be persuaded to arm in the common cause, it ought to be ascribed to the influence of the British counsels.

In the prosecution of the war with Spain, it does not appear, my lords, that any measures have been neglected, which prudence, or bravery, or experience, could be expected to dictate. If we have suffered greater losses than we expected, if our enemies have been sometimes favoured by the winds, or sometimes have been so happy as to conceal their designs, and elude the diligence of our commanders, who is to be censured? or what is to be concluded, but that which never was denied, that the chance of war is uncertain, that men are inclined to make fallacious calculations of the probabilities of future events, and that our enemies may sometimes be as artful, as diligent, and as sagacious as ourselves?

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It was the general opinion of the British people, my lords, if the general opinion may be collected from the clamours and expectations which every man has had opportunities of observing, that in declaring war upon Spain, we only engaged to chastise the insolence of a nation of helpless savages, who might, indeed, rob and murder a defenceless trader, but who could only hold up their hands and cry out for mercy, or sculk in secret creeks and unfrequented coasts, when ships of war should be fitted out against them. They imagined that the fortifications of the Spanish citadels would be abandoned at the first sound of cannon, and that their armies would turn their backs at the sight of the standard of Britain.

It was not remembered, my lords, that the greatest part of our trade was carried on in sight of the Spanish coasts, and that our merchants must be consequently exposed to incessant molestation from light vessels, which our ships of war could not pursue over rocks and shallows. It was not sufficiently considered, that a trading nation must always make war with a nation that has fewer merchants, under the disadvantage of being more exposed to the rapacity of private adventurers. How much we had to fear on this account was shown us by the late war with France, in which the privateers of a few petty ports, injured the commerce of this nation, more than their mighty navies and celebrated admirals.

My lords, it would very little become this august assembly, this assembly so renowned for wisdom, and for justice, to confound want of prudence with want of success; since on many occasions the wisest measures may be defeated by accidents which could not be foreseen; since they may sometimes be discovered by deserters, or spies, and sometimes eluded by an enemy equally skilful with ourselves in the science of war.

That any of these apologies are necessary to the administration, I am far from intending to insinuate, for I know not that we have failed of success in any of our designs, except the attack of Carthagena, of which the miscarriage cannot, at least, be imputed to the ministry; nor is it evident

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that any other causes of it are to be assigned than the difficulty of the enterprise; and when, my lords, did any nation make war, without experiencing some disappointments?

These considerations, my lords, I have thought myself obliged, by my regard to truth and justice, to lay before you, to dissipate those suspicions and that anxiety which might have arisen from a different representation of our late measures; for I cannot but once more observe, that a vindication of the conduct of the ministry is by no means a necessary preparative to the address proposed.

The address which was so modestly offered to your lordships, cannot be said to contain any more than a general answer to his majesty's speech, and such declarations of our duty and affection, as are always due to our sovereign, and always expected by him on such occasions.

If our allies have been neglected or betrayed, my lords, we shall be still at liberty to discover and to punish negligence so detrimental, and treachery so reproachful to the British nation. If in the war against Spain we have failed of success, we shall still reserve in our own hands the right of inquiring whether we were unsuccessful by the superiority of our enemies, or by our own fault; whether our commanders wanted orders, or neglected to obey them; for what clause can be produced in the address by which any of these inquiries can be supposed to be predetermined?

Let us, therefore, remember, my lords, the danger of our present state, and the necessity of steadiness, vigour, and wisdom, for our own preservation and that of Europe; let us consider that publick wisdom is the result of united counsels, and steadiness and vigour, of united influence; let us remember that our example may be of equal use with our assistance, and that both the allies and the subjects of Great Britain will be conjoined by our union, and distracted by our divisions; and let us, therefore, endeavour to promote the general interest of the world, by an unanimous address to his majesty, in the terms proposed by the noble lord.

Lord TALBOT spoke in the following manner:—My lords, after the display of the present state of Europe, and

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the account of the measures of the British ministers, which the noble lord who spoke against the motion has laid before you, there is little necessity for another attempt to convince you that our liberty and the liberty of Europe are in danger, or of disturbing your reflections by another enumeration of follies and misfortunes.

To mention the folly of our measures is superfluous likewise, for another reason. They who do not already acknowledge it, may be justly suspected of suppressing their conviction; for how can it be possible, that they who cannot produce a single instance of wisdom or fortitude, who cannot point out one enterprise wisely concerted and successfully executed, can yet sincerely declare, that nothing has been omitted which our interest required?

The measures, my lords, which are now pursued, are the same which for twenty months have kept the whole nation in continual disturbance, and have raised the indignation of every man, whose private interest was not promoted by them. These measures cannot be said to be rashly censured, or condemned before they are seen in their full extent, or expanded into all their consequences; for they have been prosecuted, my lords, with all the confidence of authority and all the perseverance of obstinacy, without any other opposition than fruitless clamours, or petitions unregarded. And what consequences have they produced? What but poverty and distractions at home, and the contempt and insults of foreign powers? What but the necessity of retrieving by war the losses sustained by timorous and dilatory negotiations; and the miscarriages of a war, in which only folly and cowardice have involved us?

Nothing, my lords, is more astonishing, than that it should be asserted in this assembly that we have no ill success to complain of. Might we not hope for success, if we have calculated the events of war, and made a suitable preparation? And how is this to be done, but by comparing our forces with that of our enemy, who must, undoubtedly, be more or less formidable according to the proportion which his treasures and his troops bear to our own?

Upon the assurance of the certainty of this practice,

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upon the evidence, my lords, of arithmetical demonstration, we were inclined to believe, that the power of Britain was not to be resisted by Spain, and therefore demanded that our merchants should be no longer plundered, insulted, imprisoned, and tortured by so despicable an enemy.

That we did not foresee all the consequences of this demand, we are now ready to confess; we did not conjecture that new troops would be raised for the invasion of the Spanish dominions, only that we might be reduced to the level with our enemies. We did not imagine that the superiority of our naval force would produce no other consequence than an inequality of expense, and that the royal navies of Britain would be equipped only for show, only to harass the sailors with the hateful molestation of an impress, and to weaken the crews of our mercantile vessels, that they might be more easily taken by the privateers of Spain.

We did not expect, my lords, that our navies would sail out under the command of admirals renowned for bravery, knowledge, and vigilance, and float upon the ocean without design, or enter ports and leave them, equally inoffensive as a packet-boat, or petty trader.

But not to speak any longer, my lords, in terms so little suited to the importance of the question which I am endeavouring to clear, or to the enormity of the conduct which I attempt to expose; the success of war is only to be estimated by the advantages which are gained, in proportion to the loss which is suffered; of which loss the expenses occasioned by the war are always the chief part, and of which it is, therefore, usual, at the conclusion of a peace, for the conquered power to promise the payment.

Let us examine, my lords, in consequence of this position, the success of our present war against Spain; let us consider what each nation has suffered, and it will easily appear how justly we boast of our wisdom and vigour.

It is not on this occasion necessary to form minute calculations, or to compute the expense of every company of soldiers and squadron of ships; it is only necessary to assert, what will, I hope, not be very readily denied, even

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by those whom daily practice of absurd apologies has rendered impregnable by the force of truth, that such expenses as have neither contributed to our own defence, nor to the disadvantage of the Spaniards, have been thrown away.

If this be granted, my lords, it will appear, that no nation ever beheld its treasures so profusely squandered, ever paid taxes so willingly, and so patiently saw them perverted; for it cannot, my lords, be proved, that any part of our preparations has produced a proportionate effect; but it may be readily shown how many fleets have been equipped only that the merchants might want sailors, and that the public stores might be consumed.

As to our ill success in America, which has been imputed only to the chance of war, it will be reasonable, my lords, to ascribe to other causes, so much of it as might have been prevented by a more speedy reinforcement of Vernon, or may be supposed to have arisen from the inexperience of our troops, and the escape of the Spaniards from Ferrol.

If our fleets had been sent more early into that part of the world, the Spaniards would have had no time to strengthen their garrisons; had our troops been acquainted with discipline, the attack would have been made with greater judgment; and had not the Spaniards escaped from Ferrol, we should have had no enemy in America to encounter. Had all our ministers and all our admirals done their duty, it is evident that not only Carthagena had been taken, but that half the dominions of Spain might now have owned the sovereignty of the crown of Britain.

This, my lords, may be observed of the only enterprise, which it is reasonable to believe was in reality intended against the Spaniards, if even of this our ministers had not before contrived the defeat. But of all the rest of our armaments it does not appear that any effect has been felt but by ourselves, it cannot be discovered that they even raised any alarms or anxiety either in our enemies or their allies, by whom perhaps it was known that they were only designed as punishments for the merchants of Britain.

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That our merchants have already been severely chastised for their insolence in complaining of their losses, and their temerity in raising in the nation a regard for its commerce, its honour, and its rights, is evident from a dreadful list of three hundred ships taken by the Spaniards, some of which were abandoned by their convoys, and others seized within sight of the coasts of Britain.

It may be urged, my lords, that the Spaniards have likewise lost a great number of vessels; but what else could they expect when they engaged in a war against the greatest naval power of the universe? And it is to be remembered, that the Spaniards have this consolation in their misfortunes, that of their ships none have been deserted by their convoys, or wilfully exposed to capture by being robbed of their crews, to supply ships of war with idle hands.

The Spaniards will likewise consider, that they have not harassed their subjects for the protection of their trade; that they have not fitted out fleets only to amuse the populace. They comfort themselves with the hope, that the Britons will soon be reduced to a state of weakness below themselves, and wait patiently for the time in which the masters of the sea shall receive from them the regulation of their commerce and the limits of their navigation.

Nor can it be doubted, my lords, but that by adhering to these measures, our ministers will in a short time gratify their hopes; for whatsoever be the difference between the power of two contending nations, if the richer spends its treasures without effect, and exposes its troops to unhealthy climates and impracticable expeditions, while the weaker is parsimonious and prudent, they must soon be brought to an equality; and by continuing the same conduct, the weaker power must at length prevail.

That this has been hitherto the state of the war between Britain and Spain, it is not necessary to prove to your lordships; it is apparent, that the expenses of the Spaniards have been far less than those of Britain; and, therefore, if we should suppose the actual losses of war equal, we are only wearing out our force in useless efforts, and our enemies grow every day comparatively stronger.

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But, my lords, let us not flatter ourselves that our actual losses have been equal; let us, before we determine this question, accurately compare the number and the value of our ships and cargoes with those of the Spaniards, and see on which side the loss will fall.

And let us not forget, what in all the calculations which I have yet seen on either part has been totally overlooked, the number of men killed, or captives in the British and Spanish dominions. Men, my lords, are at once strength and riches; and, therefore, it is to be considered, that the most irreparable loss which any nation can sustain is the diminution of its people: money may be repaid, and commerce may be recovered; even liberty may be regained, but the loss of people can never be retrieved. Even the twentieth generation may have reason to exclaim, How much more numerous and more powerful would this nation have been, had our ancestors not been betrayed in the expedition to Carthagena!

What loss, my lords, have the Spaniards sustained which can be put in balance with that of our army in America, an army given up to the vultures of an unhealthy climate, and of which those who perished by the sword, were in reality rescued from more lingering torments?

What equivalent can be mentioned for the liberty of multitudes of Britons, now languishing in the prisons of Spain, or obliged by hardships and desperation to assist the enemies of their country? What have the Spaniards suffered that can be opposed to the detriment which the commerce of this nation feels from the detention of our sailors?

These, my lords, are losses not to be paralleled by the destruction of Porto Bello, even though that expedition should be ascribed to the ministry. These are losses which may extend their consequences to many ages, which may long impede our commerce, and diminish our shipping.

It is not to be imagined, my lords, that in this time of peculiar danger, parents will destine their children to maritime employments, or that any man will engage in naval business who can exercise any other profession; and there-

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fore the death or captivity of a sailor leaves a vacuity in our commerce, since no other will be ready to supply his place. Thus, by degrees, the continuance of the war will contract our trade, and those parts of it which we cannot occupy, will be snatched by the French or Dutch, from whom it is not probable that they will ever be recovered.

This, my lords, is another circumstance of disadvantage to which the Spaniards are not exposed; for their traffick being only from one part of their dominions to another, cannot be destroyed, but will, after the short interruption of a war, be again equally certain and equally profitable.

It appears, therefore, my lords, that we have hitherto suffered more than the Spaniards, more than the nation which we have so much reason to despise; it appears that our fleets have been useless, and that our troops have been only sent out to be destroyed; and it will, therefore, surely be allowed me to assert, that the war has not been hitherto successful.

I am, therefore, of opinion, my lords, that as the address now proposed, cannot but be understood both by his majesty and the nation, to imply, in some degree, a commendation of that conduct which cannot be commended, which ought never to be mentioned but with detestation and contempt, it will be unworthy of this house, offensive to the whole nation, and unjust to his majesty.

His majesty, my lords, has summoned us to advise him in this important juncture, and the nation expects from our determinations its relief or its destruction: nor will either have much to hope from our counsels, if, in our first publick act, we endeavour to deceive them.

It seems, therefore, proper to change the common form of our addresses to the throne, to do once, at least, what his majesty demands and the people expect, and to remember that no characters are more inconsistent, than those of a counsellor of the king, and a flatterer of the ministry.

Then lord ABINGDON spoke to this effect:—My lords, I have always observed that debates are prolonged, and inquiries perplexed, by the neglect of method; and therefore think it necessary to move, That the question may be

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read, that the noble lords who shall be inclined to explain their sentiments upon it, may have always the chief point in view, and not deviate into foreign considerations.

[It was read accordingly.]

Lord CARTERET spoke next, to the purpose following: —My lords, I am convinced of the propriety of the last motion by the advantage which it has afforded me of viewing more deliberately and distinctly the question before us; the consideration of which has confirmed me in my own opinion, that the address now proposed is only a flattering repetition of the speech, and that the speech was drawn up only to betray us into an encomium on the ministry; who, as they certainly have not deserved any commendations, will, I hope, not receive them from your lordships. For what has been the result of all their measures, but a general confusion, the depression of our own nation and our allies, and the exaltation of the house of Bourbon?

It is universally allowed, my lords, and therefore it would be superfluous to prove, that the liberties of Europe are now in the utmost danger; that the house of Bourbon has arrived almost at that exalted pinnacle of authority, from whence it will look down with contempt upon all other powers, to which it will henceforward prescribe laws at pleasure, whose dominions will be limited by its direction, and whose armies will march at its command.

That Britain will be long exempted from the general servitude, that we shall be able to stand alone against the whole power of Europe, which the French may then bring down upon us, and preserve ourselves independent, while every other nation acknowledges the authority of an arbitrary conqueror, is by no means likely, and might be, perhaps, demonstrated to be not possible.

How long we might be able to retain our liberty, it is beyond the reach of policy to determine; but as it is evident, that when the empire is subdued, the Dutch will quickly fall under the same dominion, and that all their ports and all their commerce will then be in the hands of the French, it cannot be denied that our commerce will quickly be at an end. We shall then lose the dominion of

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the sea, and all our distant colonies and settlements, and be shut up in our own island, where the continuance of our liberties can be determined only by the resolution with which we shall defend them.

That this, my lords, must probably, in a few years, be our state, if the schemes of the house of Bourbon should succeed, is certain beyond all controversy; and therefore it is evident, that no man to whom such a condition does not appear eligible, can look unconcerned at the confusion of the continent, or consider the destruction of the house of Austria, without endeavouring to prevent it.

But, my lords, though such endeavours are the duty of all who are engaged in the transaction of publick affairs, though the importance of the cause of the queen of Hungary be acknowledged in the speech to which we are to return an address, it does not appear that the ministers of Britain have once attempted to assist her, or have even forborne any thing which might aggravate her distress.

The only effectual methods by which any efficacious relief could have been procured, were that of reconciling her with the king of Prussia, or that of prevailing upon the Muscovites to succour her.

A reconciliation with the king of Prussia would have been my first care, if the honour of advising on this occasion had fallen to my lot. To have mediated successfully between them could surely have been no difficult task, because each party could not but know how much it was their common interest to exclude the French from the empire, and how certainly this untimely discord must expose them both to their ancient enemy.

As in private life, my lords, when two friends carry any dispute between them to improper degrees of anger or resentment, it is the province of a third to moderate the passion of each, and to restore that benevolence which a difference of interest or opinion had impaired; so in alliances, or the friendships of nations, whenever it unhappily falls out that two of them forget the general good, and lay themselves open to those evils from which a strict union only can pre-

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serve them, it is necessary that some other power should interpose, and prevent the dangers of a perpetual discord.

Whether this was attempted, my lords, I know not; but if any such design was in appearance prosecuted, it may be reasonably imagined from the event, that the negotiators were defective either in skill or in diligence; for how can it be conceived that any man should act contrary to his own interest, to whom the state of his affairs is truly represented?

But not to suppress what I cannot doubt, I am convinced, my lords, that there is in reality no design of assisting the queen of Hungary; either our ministers have not yet recovered from their apprehensions of the exorbitant power of the house of Austria, by which they were frighted some years ago into the bosom of France for shelter, and which left them no expedient but the treaty of Hanover; or they are now equally afraid of France, and expect the *pretender* to be forced upon them by the power whom they so lately solicited to secure them from him.

Whatever is the motive of their conduct, it is evident, my lords, that they are at present to the unfortunate queen of Hungary, either professed enemies, or treacherous allies; for they have permitted the invasion of her Italian dominions, when they might have prevented it without a blow, only by commanding the Spaniards not to transport their troops.

To argue that our fleet in the Mediterranean was not of strength sufficient to oppose their passage, is a subterfuge to which they can only be driven by the necessity of making some apology, and an absolute inability to produce any which will not immediately be discovered to be groundless.

It is known, my lords, to all Europe, that Haddock had then under his command thirteen ships of the line, and nine frigates, and that the Spanish convoy consisted only of three ships; and yet they sailed before his eyes with a degree of security which nothing could have produced but a passport from the court of Britain, and an assured exemption from the danger of an attack.

It may be urged, that they were protected by the French

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squadron, and that Haddock durst not attack them, because he was unable to contend with the united fleets; but my lords, even this is known to be false: it is known that they bore no proportion to the strength of the British squadron, that they could not have made even the appearance of a battle, and that our commanders could have been only employed in pursuit and captures.

This, my lords, was well known to our ministers, who were afraid only of destroying the French squadron, and were very far from apprehending any danger from it; but being determined to purchase, on any terms, the continuance of the friendship of their old protectors, consented to the invasion of Italy, and procured a squadron to sail out, under pretence of defending the Spanish transports, that their compliance might not be discovered.

All this, my lords, may reasonably be suspected at the first view of their proceedings; for how could an inferiour force venture into the way of an enemy, unless upon security that they should not be attacked? But the late treaty of neutrality has changed suspicion into certainty, has discovered the source of all their measures, and shown that the invasion of Italy is permitted to preserve Hanover from the like calamity.

There is great danger, my lords, lest this last treaty of Hanover should give the decisive blow to the liberties of Europe. How much it embarrasses the queen of Hungary, by making it necessary for her to divide her forces, is obvious at the first view; but this is not, in my opinion, its most fatal consequence. The other powers will be incited, by the example of our ministry, to conclude treaties of neutrality in the same manner. They will distrust every appearance of our zeal for the house of Austria, and imagine that we intend only an hypocritical assistance, and that our generals, our ambassadors, and our admirals, have, in reality, the same orders.

Nothing, my lords, is more dangerous than to weaken the publick faith. When a nation can be no longer trusted, it loses all its influence, because none can fear its menaces, or depend on its alliance. A nation no longer trusted, must stand alone and unsupported; and it is certain that

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the nation which is justly suspected of holding with its open enemies a secret intercourse to the prejudice of its allies, can be no longer trusted.

This suspicion, my lords, this hateful, this reproachful character, is now fixed upon the court of Britain; nor does it take its rise only from the forbearance of our admiral, but has received new confirmation from the behaviour of our ambassador, who denied the treaty of neutrality, when the French minister declared it to the Dutch. Such now, my lords, is the reputation of the British court, a reputation produced by the most flagrant and notorious instances of cowardice and falsehood, which cannot but make all our endeavours ineffectual, and discourage all those powers whose conjunction we might have promoted, from entering into any other engagements than such as we may purchase for stated subsidies. For who, upon any other motive than immediate interest, would form an alliance with a power which, upon the first appearance of danger, gives up a confederate, to purchase, not a large extent of territory, not a new field of commerce, not a port or a citadel, but an abject neutrality!

But however mean may be a supplication for peace, or however infamous the desertion of an ally, I wish, my lords, that the liberty of invading the queen of Hungary's dominions without opposition, had been the most culpable concession of our illustrious ministers, of whom it is reasonable to believe, that they have stipulated with the Spaniards, that they shall be repaid the expense of the war by the plunder of our merchants.

That our commerce has been unnecessarily exposed to the ravages of privateers, from which a very small degree of caution might have preserved it; that three hundred trading ships have been taken, and that three thousand British sailors are now in captivity, is a consideration too melancholy to be long dwelt upon, and a truth too certain to be suppressed or denied.

How such havock could have been made, had not our ships of war concluded a treaty of neutrality with the Spaniards, and left the war to be carried on only by the mer-

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chants, it is not easy to conceive; for surely it will not be pretended, that all these losses were the necessary consequence of our situation with regard to Spain, which, if it exposed the Portugal traders to hazard, did not hinder us from guarding our own coasts.

And yet on our own coasts, my lords, have multitudes of our ships been taken by the Spaniards; they have been seized by petty vessels as they were entering our ports, and congratulating themselves upon their escape from danger.

In the late war with France, an enemy much more formidable both for power and situation, methods were discovered by which our trade was more efficaciously protected: by stationing a squadron at the mouth of the Channel, of which two or three ships at a time cruized at a proper distance on the neighbouring seas, the privateers were kept in awe, and confined to their own harbours, or seized if they ventured to leave them.

But of such useful regulations in the present war there is little hope; for if the publick papers are of any credit, the king of Spain considers the captures of our merchants as a standing revenue, and has laid an indulto upon them as upon other parts of the Spanish trade.

It is, therefore, to little purpose that measures are proposed in this house, or schemes presented by the merchants for the preservation of our commerce; for the merchants are considered as the determined enemies of our minister, who therefore resolved that they should repent of the war into which he was forced by them, contrary to those favourite schemes and established maxims, which he has pursued till the liberties of mankind are almost extinguished.

There are, indeed, some hopes, my lords, that new measures, resolutely pursued, might yet repair the mischiefs of this absurd and cowardly conduct, and that by resolution and dexterity, the ambition of France might once more be disappointed. The king of Prussia appears, at length, convinced that he has not altogether pursued his real interest, and that his own family must fall in the ruin of the house

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of Austria. The king of Sardinia appears firm in his determination to adhere to the queen of Hungary, and has therefore refused a passage through his dominions to the Spanish troops. The States of Holland seem to have taken the alarm, and nothing but their distrust of our sincerity can hinder them from uniting against the house of Bourbon.

This distrust, my lords, we may probably remove, by reviving, on this occasion, our ancient forms of address, and declaring at once to his majesty, and to all the powers of Europe, that we are far from approving the late measures.

There is another reason why the short addresses of our ancestors may be preferred to the modern forms, in which a great number of particular facts are often comprehended. It is evident, that the addresses are presented, before there can be time to examine whether the facts contained in them are justly stated; and they must, therefore, lose their efficacy with the people, who are sufficiently sagacious to distinguish servile compliance from real approbation, and who will not easily mistake the incense of flattery for the tribute of gratitude.

With regard to the propriety of the address proposed to your lordships, which is, like others, only a repetition of the speech, there is, at least, one objection to it too important to be suppressed.

It is affirmed in the speech, in what particular words I cannot exactly remember, that since the death of the late German emperour, the interest of the queen of Hungary has been diligently and invariably promoted; an assertion which his majesty is too wise, too equitable, and too generous to have uttered, but at the persuasion of his ministers.

His majesty well knows, that no important assistance has been hitherto given to that unhappy princess; he knows that the twelve thousand men, who are said to have been raised for the defence of the empire, those mighty troops, by whose assistance the enemies of Austria were to be scattered, never marched beyond the territory of Hanover, nor left that blissful country for a single day. And is it probable that the queen would have preferred money

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for troops, had she not been informed that it would be more easily obtained?

Nor was even this pecuniary assistance, though compatible with the security of Hanover, granted her without reluctance and difficulty; of which no other proof is necessary, than the distance between the promise and the performance of it. The money, my lords, is not yet all paid, though the last payment was very lately fixed. Such is the assistance which the united influence of justice and compassion has yet procured from the court of Britain.

Our ministers have been, therefore, hitherto, my lords, so far from acting with vigour in favour of the house of Austria, that they have never solicited the court of Muscovy, almost the only court now independent on France, to engage in her defence. How wisely that mighty power distinguishes her real interest, and how ardently she pursues it, the whole world was convinced in her alliance with the late emperour; nor is it unlikely, that she might have been easily persuaded to have protected his daughter with equal zeal. But we never asked her alliance lest we should obtain it, and yet we boast of our good offices.

Our governours thought it more nearly concerned them to humble our merchants than to succour our allies, and therefore admitted the Spaniards into Italy; by which prudent conduct they dexterously at once gratified the house of Bourbon, embarrassed the queen of Hungary, and endangered the effects of the British merchants, lying at Leghorn; effects which were lately valued at six hundred thousand pounds, but which, by the seasonable arrival of the Spaniards, are happily reduced to half their price.

I hope, therefore, I need not urge to your lordships the necessity of confining our address to thanks and congratulations, because it is not necessary to say how inconsistent it must be thought with the dignity of this house to echo falsehood, and to countenance perfidy.

Then the duke of NEWCASTLE spoke to the following effect:—My lords, the manner in which the noble lord who spoke last expresses his sentiments, never fails to give pleasure, even where his arguments produce no conviction;

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and his eloquence always receives its praise, though it may sometimes be disappointed of its more important effects.

In the present debate, my lords, I have heard no argument, by which I am inclined to change the usual forms of address, or to reject the motion which has been made to us.

The address which has been proposed, is not, in my opinion, justly chargeable either with flattery to the ministers, or with disingenuity with respect to the people; nor can I discover in it any of those positions which have been represented so fallacious and dangerous. It contains only a general declaration of our gratitude, and an assertion of our zeal; a declaration and assertion to which I hope no lord in this assembly will be unwilling to subscribe.

As an inquiry into the propriety of this address has produced, whether necessarily or not, many observations on the present state of Europe, and many animadversions upon the late conduct, it cannot be improper for me to offer to your lordships my opinion of the measures which have been pursued by us, as well in the war with Spain, as with regard to the queen of Hungary, and to propose my conjectures concerning the events which may probably be produced by the distractions on the continent.

This deviation from the question before us, will at least be as easily pardoned in me as in the noble lords who have exhibited so gloomy a representation of our approaching condition, who have lamented the slavery with which they imagine all the states of Europe about to be harassed, and described the insolence and ravages of those oppressors to whom their apprehensions have already given the empire of the world. For surely, my lords, it is an endeavour no less laudable to dispel terrour, than to excite it; and he who brings us such accounts as we desire to receive, is generally listened to with indulgence, however unelegant may be his expressions, or however irregular his narration.

That the power of the family of Bourbon is arrived at a very dangerous and formidable extent; that it never was hitherto employed but to disturb the happiness of the universe; that the same schemes which our ancestors laboured so ardently and so successfully to destroy, are now

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formed afresh, and intended to be put in immediate execution; that the empire is designed to be held henceforward in dependence on France; and that the house of Austria, by which the common rights of mankind have been so long supported, is now marked out for destruction, is too evident to be contested.

It is allowed, my lords, that the power of the house of Austria, which there was once reason to dread, lest it might have been employed against us, is now almost extinguished; and that name, which has for so many ages filled the histories of Europe, is in danger of being forgotten. It is allowed, that the house of Austria cannot fall without exposing all those who have hitherto been supported by its alliance, to the utmost danger; and I need not add, that they ought, therefore, to assist it with the utmost expedition, and the most vigorous measures.

It may be suggested, my lords, that this assistance has been already delayed till it is become useless, that the utmost expedition will be too slow, and the most vigorous measures too weak to stop the torrent of the conquests of France: that the fatal blow will be struck, before we shall have an opportunity to ward it off, and that our regard for the house of Austria will be only compassion for the dead.

But these, my lords, I hope, are only the apprehensions of a mind overborne with sudden terrours, and perplexed by a confused survey of complicated danger; for if we consider more distinctly the powers which may be brought in opposition to France, we shall find no reason for despairing that we may once more stand up with success in defence of our religion and the liberty of mankind, and once more reduce those troublers of the world to the necessity of abandoning their destructive designs.

The noble lord has already mentioned the present disposition of three powerful states, as a motive for vigorous resolutions, and a consideration that may, at least, preserve us from despair; and it is no small satisfaction to me to observe, that his penetration and experience incline him to hope upon the prospect of affairs as they now appear; because I doubt not but that hope will be improved into

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confidence, by the account which I can now give your lordships of the intention of another power, yet more formidable, to engage with us in the great design of repressing the insolence of France.

A treaty of alliance, my lords, has been for some time concerted with the emperour of Muscovy, and has been negotiated with such diligence, that it is now completed, and I doubt not but the last ratifications will arrive at this court in a few days; by which it will appear to your lordships, that the interest of this nation has been vigilantly regarded, and to our allies, that the faith of Britain has never yet been shaken. It will appear to the French, that they have precipitated their triumphs, that they have imagined themselves masters of nations by whom they will be in a short time driven back to their own confines, and that, perhaps, they have parcelled out kingdoms which they are never likely to possess.

It was affirmed, and with just discernment, that applications ought to be made to this powerful court, as the professed adversary of France; and if it was not hitherto known that their assistance had been assiduously solicited, our endeavours were kept secret only that their success might be more certain, and that they might surprise more powerfully by their effects.

Nor have the two other princes, which were mentioned by the noble lord, been forgotten, whose concurrence is at this time so necessary to us: and I doubt not but that the representations which have been made with all the force of truth, and all the zeal that is awakened by interest and by danger, will in time produce the effects for which they were intended; by convincing those princes that they endanger themselves by flattering the French ambition, that they are divesting themselves of that defence of which they will quickly regret the loss, and that they are only not attacked at present, that they may be destroyed more easily hereafter.

But it is always to be remembered, my lords, that in publick transactions, as in private life, interest acts with less force as it is at greater distance, and that the imme-

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diate motive will generally prevail. Futurity impairs the influence of the most important objects of consideration, even when it does not lessen their certainty; and with regard to events only probable, events which a thousand accidents may obviate, they are almost annihilated, with regard to the human mind, by being placed at a distance from us. Wherever imagination can exert its power, we easily dwell upon the most pleasing views, and flatter ourselves with those consequences, which though perhaps least to be expected, are most desired. Wherever different events may arise, which is the state of all human transactions, we naturally promote our hopes, and repress our fears; and in time so far deceive ourselves, as to quiet all our suspicions, lay all our terrours asleep, and believe what at first we only wished.

This, my lords, must be the delusion by which some states are induced to favour, and others to neglect the encroachments of France. Men are impolitick, as they are wicked; because they prefer the gratification of the present hour to the assurance of solid and permanent, but distant happiness. The French take advantage of this general weakness of the human mind, and by magnificent promises to one prince, and petty grants to another, reconcile them to their designs. Each finds that he shall gain more by contracting an alliance with them, than with another state which has no view besides that of preserving to every sovereign his just rights, and which, therefore, as it plunders none, will have nothing to bestow.

This, my lords, is the disadvantage under which our negotiators labour against those of France; we have no kingdoms to parcel out among those whose confederacy we solicit; we can promise them no superiority above the neighbouring princes which they do not now possess; we assume not the province of adjusting the boundaries of dominion, or of deciding contested titles: we promise only the preservation of quiet, and the establishment of safety.

But the French, my lords, oppose us with other arguments, arguments which, indeed, receive their force from folly and credulity; but what more powerful assistance can

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be desired? They promise not mere negative advantages, not an exemption from remote oppression, or an escape from slavery, which, as it was yet never felt, is very little dreaded; they offer an immediate augmentation of dominion, and an extension of power; they propose new tracts of commerce, and open new sources of wealth; they invite confederacies, not for defence, but for conquests; for conquests to be divided among the powers by whose union they shall be made.

Let it not, therefore, be objected, my lords, to our ministers, or our negotiators, that the French obtain more influence than they; that they are more easily listened to, or more readily believed: for while such is the condition of mankind, that what is desired is easily credited, while profit is more powerful than reason, the French eloquence will frequently prevail.

Whether, my lords, our seeming want of success in the war with Spain admits of as easy a solution, my degree of knowledge in military affairs, does not enable me to determine. An account of this part of our conduct is to be expected from the commissioners of the admiralty, by whom, I doubt not, but such reasons will be assigned for all the operations of our naval forces, and such vindications offered of all those measures, which have been hitherto imputed too precipitately to negligence, cowardice, or treachery, as will satisfy those who have been most vehement in their censures.

But because it does not seem to me very difficult to apologize for those miscarriages which have occasioned the loudest complaints, I will lay before your lordships what I have been able to collect from inquiry, or to conjecture from observation; and doubt not but it will easily appear, that nothing has been omitted from any apparent design of betraying our country, and that our ministers and commanders will deserve, at least, to be heard before they are condemned.

That great numbers of our trading vessels have been seized by the Spaniards, and that our commerce has, therefore, been very much embarrassed and interrupted, is suffi-

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ciently manifest; but to me, my lords, this appears one of the certain and necessary consequences of war, which are always to be expected, and to be set in our consultations against the advantages which we propose to obtain. It is as rational to expect, that of an army sent against our enemies, every man should return unhurt to his acquaintances, as that every merchant should see his ship and cargo sail safely into port.

If we examine, my lords, the late war, of which the conduct has been so lavishly applauded, in which the victories which we obtained have been so loudly celebrated, and which has been proposed to the imitation of all future ministers, it will appear, that our losses of the same kind were then very frequent, and, perhaps, not less complained of, though the murmurs are now forgotten, and the acclamations transmitted to posterity, because we naturally relate what has given us satisfaction, and suppress what we cannot recollect without uneasiness.

If we look farther backward, my lords, and inquire into the event of any other war in which we engaged since commerce has constituted so large a part of the interest of this nation, I doubt not but in proportion to our trade will be found our losses; and in all future wars, as in the present, I shall expect the same calamities and the same complaints. For the escape of any number of ships raises no transport, nor produces any gratitude; but the loss of a few will always give occasion to clamours and discontent. For vigilance, however diligent, can never produce more safety than will be naturally expected from our incontestable superiority at sea, by which a great part of the nation is so far deceived as to imagine, that because we cannot be conquered, we cannot be molested.

Nor do I see how it is possible to employ our power more effectually for the protection of our trade than by the method now pursued of covering the ocean with our fleets, and stationing our ships of war in every place where danger can be apprehended. If it be urged, that the inefficacy of our measures is a sufficient proof of their impropriety, it will be proper to substitute another plan of opera-

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tion, of which the success may be more probable. To me, my lords, the loss of some of our mercantile vessels shows only the disproportion between the number of our ships of war, and the extent of the sea, which is a region too vast to be completely garrisoned, and of which the frequenters must inevitably be subject to the sudden incursions of subtle rovers.

The disposition of our squadrons has been such, as was doubtless dictated by the most acute sagacity, and the most enlightened experience. The squadron which was appointed to guard our coasts has been ridiculed as an useless expense; and its frequent excursions and returns, without any memorable attempt, have given occasion to endless raillery, and incessant exclamations of wonder and contempt. But it is to be considered, my lords, that the enemies of this nation, either secret or declared, had powerful squadrons in many ports of the Mediterranean, which, had they known that our coasts were without defence, might have issued out on a sudden, and have appeared unexpectedly in our Channel, from whence they might have laid our towns in ruin, entered our docks, burnt up all our preparations for future expeditions, carried into slavery the inhabitants of our villages, and left the maritime provinces of this kingdom in a state of general desolation.

Out of this squadron, however necessary, there was yet a reinforcement of five ships ordered to assist Haddock, that he might be enabled to oppose the designs of the Spaniards, though assisted by their French confederates, whom it is known that he was so far from favouring, that he was stationed before Barcelona to block them up. Why he departed from that port, and upon what motives of policy, or maxims of war, he suffered the Spaniards to prosecute their scheme, he only is able to inform us.

That the Spaniards have not at least been spared by design, is evident from their sufferings in this war, which have been much greater than ours. Many of our ships have, indeed, been snatched up by the rapacity of private adventurers, whom the ardour of interest had made vigi-

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lant, and whose celerity of pursuit as well as flight, enables them to take the advantage of the situation of their own ports, and those of their friends. But as none of our ships have been denied convoys, I know not how the loss of them can be imputed to the ministry; and if any of those who sailed under the protection of ships of war have been lost, the commanders may be required to vindicate themselves from the charge of negligence or treachery.

But this inquiry, my lords, must be, in my opinion, reserved for another day, when it may become the immediate subject of our consultations, with which it has at present no coherence, or to which, at least, it is very remotely related. For I am not able, upon the most impartial and the most attentive consideration of the address now proposed to your lordships, to perceive any necessity of a previous inquiry into the conduct of the war, the transaction of our negotiations, or the state of the kingdom, in order to our compliance with this motion, by which we shall be far from sheltering any crime from punishment, or any doubtful conduct from inquiry; shall be far from obstructing the course of national justice, or approving what we do not understand.

The chief tendency of his majesty's speech is to ask our advice on this extraordinary conjuncture of affairs; a conduct undoubtedly worthy of a British monarch, and which we ought not to requite with disrespect; but what less can be inferred from an alteration of our established forms of address, by an omission of any part of the speech? For what will be imagined by his majesty, by the nation, and by the whole world, but that we did not approve what we did not answer?

The duke of ARGYLE spoke to the following purpose: —My lords, it is with great reason that the present time has been represented to us from the throne as a time of uncommon danger and disturbance, a time in which the barriers of kingdoms are broken down, in contempt of every law of heaven and of earth, and in which ambition, rapine, and oppression, seem to be let loose upon mankind; a time in which some nations send out armies and invade

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the territories of their neighbours, in opposition to the most solemn treaties, of which others, with equal perfidy, silently suffer, or secretly favour the violation.

At a time like this, when treaties are considered only as momentary expedients, and alliances confer no security, it is evident that the preservation of our rights, our interest, and our commerce, must depend only on our natural strength; and that instead of cultivating the friendship of foreign powers, which we must purchase upon disadvantageous conditions, and which will be withdrawn from us whenever we shall need it; we ought, therefore, to collect our own force, and show the world how little we stand in need of assistance, and how little we have to fear from the most powerful of our enemies.

Our country, my lords, seems designed by nature to subsist without any dependence on other nations, and by a steady and resolute improvement of these advantages with which providence has blessed it, may bid defiance to mankind; it might become, by the extension of our commerce, the general centre at which the wealth of the whole earth might be collected together, and from whence it might be issued upon proper occasions, for the diffusion of liberty, the repression of insolence, and the preservation of peace.

But this glory, and this influence, my lords, must arise from domestick felicity; and domestick felicity can only be produced by a mutual confidence between the government and the people. Where the governours distrust the affections of their subjects, they will not be very solicitous to advance their happiness; for who will endeavour to increase that wealth which will, as he believes, be employed against him? Nor will the subjects cheerfully concur even with the necessary measures of their governours, whose general designs they conceive to be contrary to the publick interest; because any temporary success or accidental reputation, will only dazzle the eyes of the multitude, while their liberties are stolen away.

This confidence, my lords, must be promoted where it exists, and regained where it is lost, by the open administration of justice, by impartial inquiries into publick trans-

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actions, by the exaltation of those whose wisdom and bravery has advanced the publick reputation, or increased the happiness of the nation, and the censure of those, however elate with dignities, or surrounded with dependants, who by their unskilfulness or dishonesty, have either embarrassed their country or betrayed it.

For this reason, my lords, it is, in my opinion, necessary to gratify the nation, at the present juncture, with the prospect of those measures, without which no people can reasonably be satisfied; and to pacify their resentment of past injuries, and quiet their apprehensions of future miseries, by a possibility, at least, that they may see the authors of all our miscarriages called to a trial in open day, and the merit of those men acknowledged and rewarded, by whose resolution and integrity they imagine that the final ruin of themselves and posterity has been hitherto prevented.

That the present discontent of the British nation is almost universal, that suspicion has infused itself into every rank and denomination of men, that complaints of the neglect of our commerce, the misapplication of our treasure, and the unsuccessfulness of our arms, are to be heard from every mouth, and in every place, where men dare utter their sentiments, I suppose, my lords, no man will deny; for whoever should stand up in opposition to the truth of a fact so generally known, would distinguish himself, even in this age of effrontery and corruption, by a contempt of reputation, not yet known amongst mankind.

And indeed, my lords, it must be confessed that these discontents and clamours are produced by such an appearance of folly, or of treachery, as few ages or nations have ever known; by such an obstinate perseverance in bad measures, as shame has hitherto prevented in those upon whom nobler motives, fidelity to their trust, and love of their country, had lost their influence.

Other ministers, when they have formed designs of sacrificing the publick interest to their own, have been compelled to better measures by timely discoveries, and just representations; they have been criminal only because they

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hoped for secrecy, and have vindicated their conduct no longer than while they had hopes that their apologies might deceive.

But our heroick ministers, my lords, have set themselves free from the shackles of circumspection, they have disburdened themselves of the embarrassments of caution, and claim an exemption from the necessity of supporting their measures by laborious deductions and artful reasonings; they defy the publick when they can no longer delude it, and prosecute, in the face of the sun, those measures which they have not been able to support, and of which the fatal consequences are foreseen by the whole nation.

When they have been detected in one absurdity, they take shelter in another; when experience has shown that one of their attempts was designed only to injure their country, they propose a second of the same kind with equal confidence, boast again of their integrity, and again require the concurrence of the legislature, and the support of the people.

When they had for a long time suffered our trading vessels to be seized in sight of our own ports, when they had despatched fleets into the Mediterranean, only to lie exposed to the injuries of the weather, and to sail from one coast to another, only to show that they had no hostile intentions, and that they were fitted out by the friends of the Spaniards, only to amuse and exhaust the nation, they at length thought it necessary to lull the impatience of the people, who began to discover that they had hitherto been harassed with taxes and impresses to no purpose, by the appearance of a new effort for the subjection of the enemy, and to divert, by the expectations which an army and a fleet naturally raise, any clamours at their past conduct.

For this end, having entered into their usual consultations, they projected an expedition into America, for which they raised forces and procured transports, with all the pomp of preparation for the conquest of half the continent, not so much to alarm the Spaniards, which I conceive but a secondary view, as to fill the people of Britain with amusing prospects of great achievements, of the addition

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of new dominions to this empire, and an ample reparation for all their damages.

Thus provided with forces sufficient, in appearance, for this mighty enterprise, they embarked them after many delays, and dismissed them to their fate, having first disposed their regulations in such a manner, that it was impossible that they should meet with success.

I can call your lordships to witness, that this impossibility was not discovered by me after the event, for I foretold in this house, that their designs, so conducted, must evidently miscarry.

Nor was this prediction, my lords, the effect of any uncommon sagacity, or any accidental conjecture on future consequences which happened to be right; for to any man who has had opportunities of observing that knowledge in war is necessary to success, and experience is the foundation of knowledge, it was sufficiently plain that our forces must be repulsed.

The forces sent into America, my lords, were newly raised, placed under the direction of officers not less ignorant than themselves, and commanded by a man who never had commanded any troops before; and who, however laudable he might have discharged the duty of a captain, was wholly unacquainted with the province of a general.

Yet was this man, my lords, preferred, not only to a multitude of other officers, to whom experience must have been of small advantage, if it did not furnish them with knowledge far superiour to his, but to five and forty generals, of whom I hope the nation has no reason to suspect that any of them would not gladly have served it on an occasion of so great importance, and willingly have conducted an expedition intended to retrieve the honour of the British name, the terrour of our arms, and the security of our commerce.

When raw troops, my lords, with young officers, are to act under the command of an unskilful general, what is it reasonable to expect, but what has happened—overthrow, slaughter, and ignominy? What but that cheap victories should heighten the insolence, and harden the obstinacy of

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our enemies; and that we should not only be weakened by our loss, but dispirited by our disgrace; by the disgrace of being overthrown by those whom we have despised, and with whom nothing but our own folly could have reduced us to a level.

The other conjecture which I ventured to propose to your lordships, with regard to the queen of Hungary, was not founded on facts equally evident with the former, though experience has discovered that it was equally true. It was then asserted, both by other lords and myself, that money would be chosen by that princess as an assistance more useful than forces; an opinion, which the lords who are engaged in the administration vigorously opposed. In consequence of their determination, forces were hired, for what purpose—let them now declare, since none but themselves have yet known.

That at least they were not taken into our pay for the service for which they were required, the succour of the house of Austria, is most evident, unless the name of armies is imagined sufficient to intimidate the French, as the Spaniards are to be subdued by the sight of fleets. They never marched towards her frontiers, never opposed her enemies, or afforded her the least assistance, but stood idle and unconcerned in the territories of Hanover; nor was it known that they existed by any other proof than that remittances were made for their pay.

Such, my lords, was the assistance, asked with so much solicitude, and levied with so much expedition, for the queen of Hungary; such were the effects of the zeal of our illustrious ministers for the preservation of that august house, to whose alliance we are perhaps indebted for the preservation of our religion and our liberties, and to which all Europe must have recourse for shelter from the oppression of France.

When this formidable body of men was assembled, my lords, and reviewed, they were perhaps found too graceful and too well sorted to be exposed to the dangers of a battle; and the same tenderness that has so long preserved our own forces from any other field than the park, might

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rescue them from the fatigues of accompanying the active hussars in their incursions, or the steady Austrians in their conflicts.

Whatever was the reason, my lords, it is certain that they have been reserved for other opportunities of signalizing their courage; and they slept in quiet, and fattened upon the wealth of Britain, while the enemies of our illustrious, magnanimous, and unfortunate ally, entered her territories without opposition, marched through them uninterrupted, and rather took possession than made conquests.

That in this condition of her affairs, the queen would refuse an offer of twelve thousand men; that when she was driven from one country to another, attended by an army scarcely sufficient to form a flying camp, she would not gladly have accepted a reinforcement so powerful, let those believe, my lords, who have yet never been deceived by ministerial faith.

The real designs of the ministry, my lords, are sufficiently obvious, nor is any thing more certain, than that they had, in requiring this mock assistance for the queen of Hungary, no other design than that of raising her expectations only to deceive them; and to divert her, by confidence in their preparations, from having recourse to more efficacious expedients, that she might become, without resistance, the slave of France.

For this purpose they determined to succour her with forces rather than with money, because many reasons might be pretended, by which the march of the forces might be retarded; but the money, my lords, when granted, must have been more speedily remitted.

At last the queen, weary with delays, and undoubtedly sufficiently informed of those designs, which are now, however generally discovered, confidently denied, desired a supply of money, which might be granted without leaving Hanover exposed to an invasion. With this demand, which they had no pretence to deny, they have yet found expedients to delay their compliance. For it does not appear that the whole sum granted has yet been paid; and it would well become those noble lords, whose offices give

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them an opportunity of observing the distribution of the publick money, to justify themselves from the suspicions of the nation, by declaring openly what has been remitted, and what yet remains to be disbursed for some other purpose.

Is it not, therefore, evident, my lords, that by promising assistance to this unhappy princess, the ministry intended to deceive her? That when they flattered her with the approach of auxiliary forces, they designed only to station them where they might garrison the frontiers of Hanover? And that when they forced her to solicit for pecuniary aid, they delayed the payment of the subsidy, that it might not be received till it could produce no effect?

This, my lords, is not only evident from the manifest absurdity of their conduct upon any other supposition, but from the general scheme which has always been pursued by the man whose dictatorial instructions regulate the opinions of all those that constitute the ministry, and of whom it is well known, that it has been the great purpose of his life to aggrandize France, by applying to her for assistance in imaginary distresses from fictitious confederacies, and by sacrificing to her in return the house of Austria, and the commerce of Britain.

How then, my lords, can it be asserted by us, that the house of Austria has been vigilantly supported? How can we approve measures, of which we discover no effect but the expense of the nation? A double expense, produced first by raising troops, which though granted for the assistance of the Austrians, have been made use of only for the protection of Hanover, and by the grant of money in the place of these troops, which were thus fallaciously obtained, and thus unprofitably employed!

For what purpose these forces were in reality raised, I suppose no man can be ignorant, and no man to whom it is known can possibly approve it. How then, my lords, can we concur in an address by which the people must be persuaded, that we either are deceived ourselves, or endeavour to impose upon them; that we either dare not condemn any measures, however destructive, or that, at least, we are in haste to approve them, lest inquiry should dis-

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cover their tendency too plainly to leave us the power of applauding them, without an open declaration of our own impotence, or disregard for the welfare of the publick.

The complaints of the people are already clamorous, and their discontent open and universal; and surely the voice of the people ought, at least, to awake us to an examination of their condition. And though we should not immediately condemn those whom they censure and detest, as the authors of their miseries, we ought, at least, to pay so much regard to the accusation of the whole community, as not to reject it without inquiry, as a suspicion merely chimerical.

Whether these complaints and suspicions, my lords, proceed from real injuries and imminent dangers, or from false accusations and groundless terrours, they equally deserve the attention of this house, whose great care is the happiness of the people: people equally worthy of your tenderness and regard, whether they are betrayed by one party or another; whether they are plundered by the advocates of the administration, under pretence of supporting the government, or affrighted with unreasonable clamours by the opponents of the court, under the specious appearance of protecting liberty. The people, my lords, are in either case equally miserable, and deserve equally to be rescued from distress.

By what method, my lords, can this be effected, but by some publick assurance from this house, that the transactions of the nation shall no longer be concealed in impenetrable secrecy; that measures shall be no longer approved without examination; that publick evils shall be traced to their causes; and that disgrace, which they have hitherto brought upon the publick, shall fall for the future only upon the authors of them.

Of giving this assurance, and of quieting by it the clamours of the people; clamours which, whether just or not, are too formidable to be slighted, and too loud not to be heard, we have now the most proper opportunity before us. The address which the practice of our ancestors requires us to make to his majesty, may give us occasion of express-

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ing at once our loyalty to the crown, and our fidelity to our country; our zeal for the honour of our sovereign, and our regard for the happiness of the people.

For this purpose it is necessary that, as we preserve the practice of our ancestors in one respect, we revive it in another; that we imitate those in just freedom of language whom we follow in the decent forms of ceremony; and show that as we preserve, like them, a due sense of the regal dignity, so, like them, we know likewise how to preserve our own, and despise flattery on one side, as we decline rudeness on the other.

A practice, my lords, has prevailed of late, which cannot but be allowed pernicious to the publick, and derogatory from the honour of this assembly; a practice of retaining in our address the words of the speech, and of following it servilely from period to period, as if it were expected that we should always adopt the sentiments of the court; as if we were not summoned to advise, but to approve, and approve without examination.

By such addresses, my lords, all inquiries may be easily precluded; for the minister by whom the speech is compiled, may easily introduce the most criminal transactions in such a manner, as that they may obtain the approbation of this house; which he may plead afterwards at our bar, when he shall be called before it, and either involve us in the disgrace of inconsistency, and expose us to general contempt, or be acquitted by our former suffrages, which it would be reproachful to retract, and yet criminal to confirm,

It is not necessary, my lords, on this occasion to observe. what all parties have long since acknowledged, when it did not promote their interest to deny it, that every speech from the throne is to be considered as the work of the minister, because it is generally written by him; or if composed by the king himself, must be drawn up in pursuance of the information and counsel of the ministry, to whom it is, therefore, ultimately to be referred, and may consequently be examined without any failure of respect to the person of the prince.

This ought, however, to be observed, my lords, that it may appear more plainly how certainly this practice may be

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imputed to the artifices of ministers, since it does not promote the honour of the prince, and manifestly obstructs the interest of the people; since it is a practice irrational in itself, because it is inconsistent with the great purpose of this assembly, and can, therefore, serve no other purpose than that of procuring indemnity to the ministers, by placing them out of the reach of future animadversion.

Let not, my lords, the uninterrupted continuance of this practice for some reigns be pleaded in its defence; for nothing is more worthy of the dignity of this house, than to prevent the multiplication of dangerous precedents. That a custom manifestly injurious to the publick has continued long, is the strongest reason for breaking it, because it acquires every year new authority and greater veneration: if when a nation is alarmed and distracted, a custom of twenty years is not to be infringed, it may in twenty years more be so firmly established, that many may think it necessary to be supported, even when those calamities are incontestably felt, which, perhaps, now are only feared.

I shall, therefore, my lords, propose, that of the address moved for, all be left out but the first paragraph; it will then be more consistent with the honour of your lordships, with our regard for the people, and with our duty to the crown, and hope no lord will refuse his concurrence.

Lord HARDWICKE rose next, and spoke to the following effect:—My lords, upon an attentive consideration of the address now proposed, I am not able to discover any objections which can justly hinder the unanimous concurrence of this assembly, since there is not any proposition contained in it either dangerous or uncertain.

The noble lords who have opposed this motion with the most ardent vehemence, are very far from denying what is asserted in it; they readily grant that designs are concerted by many formidable powers against the house of Austria, and that the consequences of the ruin of that family must extend to the utmost parts of Europe, and endanger the liberties of Britain itself; that the power of France will then be without a rival, and that she may afterwards gratify her ambition without fear and without danger.

Nor is it, my lords, less obvious in itself, or less gene-

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rally allowed, that this is a time which demands the most active vigour, the most invariable unanimity, and the most diligent despatch; that nothing can interrupt the course of our common enemies but the wisest counsels, and the most resolute opposition; and that upon our conduct at this great conjuncture may probably depend the happiness and liberty of ourselves, our allies, and our posterity.

All this, my lords, is allowed to be apparently and indisputably true; I am, therefore, at a loss to conceive what can be the occasion of the debate in which some of your lordships have engaged. As the causes of the calamities which are said to threaten us are not assigned in the address, we shall leave ourselves at full liberty to charge them upon those who shall appear from future inquiries to deserve so heavy an accusation.

If the ministers of the court have, by any inconstancy in their measures, or folly in their negotiations, given an opportunity to the enemies of Europe to extend their influence, or endangered either our own interest, or that of our allies; if they have by oppression or negligence alienated from his majesty the affections of his people, or the confidence of his confederates, nothing that is contained in the address now before us can be produced by them in justification of their conduct, or secure them from accusation, censure, and punishment.

If the war, my lords, has been hitherto carried on with clandestine stipulations, or treacherous compacts; if our admirals have received orders to retire from the coast of Spain, only to give our enemies an opportunity of invading the dominions of the queen of Hungary, or have, without directions, deserted their stations, and abandoned the protection of our commerce and our colonies; we shall, notwithstanding this address, retain in our hands the privilege of inquiring into their conduct, and the power, if it be found criminal, of inflicting such penalties as justice shall require.

I know not, therefore, my lords, upon what motives the debate is continued, nor what objections they are which hinder our unanimity, at a time when all petty contro-

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versies ought to be forgot, and all nominal distinctions laid aside; at a time when general danger may justly claim general attention, and we ought to suspend the assertion of our particular opinions, and the prosecution of our separate interests, and regard only the opposition of France, the support of our allies, and the preservation of our country.

The noble lords who have offered their sentiments on this occasion, have very diffusely expatiated on the miseries that impend over us, and have shown uncommon dexterity and acuteness in tracing them all to one source, the weakness or dishonesty of the British ministry.

For my part, my lords, though, perhaps, I believe that many circumstances of the present distress are to be imputed to accidents which could not be foreseen, and that the conduct of the ministry, however sometimes disappointed of the effects intended by it, was yet prudent and sincere, I shall at present forbear to engage in their defence, because the discussion of a question so complicated must necessarily require much time, and because I think it not so useful to inquire how we were involved in our present difficulties, as by what means we may be extricated from them.

The method by which weak states are made strong, and by which those that are already powerful, are enabled to exert their strength with efficacy, is the promotion of union, and the abolition of all suspicions by which the people may be incited to a distrust of their sovereign, or the sovereign provoked to a disregard of his people. With this view, my lords, all addresses ought to be drawn up, and this consideration will be sufficient to restrain us from any innovations at a time like this.

If it should be granted, my lords, that the ancient method were better adapted to the general intention of addresses, more correspondent to the dignity of this house, and liable to fewer inconveniencies than that which later times have introduced, yet it will not follow that we can now safely change it.

Nothing in the whole doctrine of politicks is better known,

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than that there are times when the redress of grievances, inveterate and customary, is not to be attempted; times when the utmost care is barely sufficient to avert extreme calamities, and prevent a total dissolution; and in which the consideration of lighter evils must not be suffered to interrupt more important counsels, or divert that attention which the preservation of the state necessarily demands.

Such, my lords, is the present time, even by the confession of those who have opposed the motion, and of whom, therefore, it may be reasonably demanded, why they waste these important hours in debates upon forms and words?

For that only forms and words have produced the debate, must be apparent, even to themselves, when the fervour of controversy shall have slackened; when that vehemence, with which the most moderate are sometimes transported, and that acrimony, which candour itself cannot always forbear, shall give way to reflection and to reason. That the danger is pressing, and that pressing dangers require expedition and unanimity, they willingly grant; and what more is asserted in the address?

That any lord should be unwilling to concur in the customary expressions of thankfulness and duty to his majesty, or in acknowledgments of that regard for this assembly with which he asks our assistance and advice, I am unwilling to suspect; nor can I imagine that any part of the opposition to this proposal can be produced by unwillingness to comply with his majesty's demands, and to promise that advice and assistance, which it is our duty, both to our sovereign, our country, and ourselves, to offer.

That those, my lords, who have expressed in terms so full of indignation their resentment of the imaginary neglect of the queen of Hungary's interest, have declared the house of Austria the only bulwark of Europe, and expressed their dread of the encroachments of France with emotions which nothing but real passion can produce, should be unwilling to assert their resolution of adhering to the Pragmatick sanction, and of defending the liberties of the empire, cannot be supposed.

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And yet, my lords, what other reasons of their conduct can be assigned either by the emperour, or the people, or the allies of Britain; those allies whose claim they so warmly assert, and whose merits they so loudly extol? Will it not be imagined in foreign courts, that the measures now recommended by the emperour, are thought not consistent with the interest of the nation? Will it not be readily believed, that we propose to abandon those designs of which we cannot be persuaded to declare our approbation?

What will be the consequence of such an opinion artfully propagated by France, and confirmed by appearances so likely to deceive, may easily be foreseen, and safely predicted. The French will prosecute their schemes with fresh ardour, when they dread no longer any interruption from the only nation able to resist them; and it is well known, my lords, how often confidence, by exciting courage, produces success.

Nor, indeed, can the success of their endeavours, thus animated and quickened, be easily doubted, since the same appearances that encourage them will intimidate their enemies. Our allies will then think no longer of union against the general enemy; they must imagine their united force insufficient, and the only emulation amongst them will quickly be, which shall first offer his liberty to sale, who shall first pay his court to the masters of the world, and merit mercy by a speedy submission.

Thus, my lords, will the house of Austria, that house so faithful to Britain, and so steady in its opposition to the designs of the French ambition, be finally sunk in irrecoverable ruin, by those who appear to please themselves with declamations in its praise, and resolutions for its defence; and who never speak of the French without rage and detestation.

If on this occasion, my lords, we should give any suspicion of unusual discontent, what could be concluded but that we are unwilling any longer to embarrass ourselves with remote considerations, to load this nation with taxes for the preservation of the rights of other sovereigns, and to hazard armies in the defence of the continent? What

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can our allies think, but that we are at present weary of the burdensome and expensive honour of holding the balance of power in our hands, are content to resign the unquiet province of the arbiters of Europe, and propose to confine our care henceforward to our immediate interest, and shut up ourselves in our own island?

That this is the real design of any of those noble lords who have opposed the motion, I do not intend to insinuate; for I doubt not but they believe the general interest both of this nation and its allies, most likely to be promoted by the method of address which they recommend, since they declare that they do not think our state desperate, and confess the importance of the affairs on which we are required by his majesty to deliberate, to be such, that nothing ought to repress our endeavours but impossibility of success.

Such is the knowledge and experience of those noble lords, that the hopes which I had formed of seeing the destructive attempts of the French once more defeated, and power restored again to that equipoise which is necessary to the continuance of tranquillity and happiness, have received new strength from their concurrence, and I shall now hear with less solicitude the threats of France.

That the French, my lords, are not invincible, the noble duke who spoke last has often experienced; nor is there any reason for imagining that they are now more formidable than when we encountered them in the fields of Blenheim and Ramillies. Nothing is requisite but a firm union among those princes who are immediately in danger from their encroachments, to reduce them to withdraw their forces from the countries of their neighbours, and quit, for the defence of their own territories, their schemes of bestowing empires, and dividing dominions.

That such an union is now cultivated, we have been informed by his majesty, whose endeavours will probably be successful, however they may at first be thwarted and obstructed; because the near approach of danger will rouse those whom avarice has stupified, or negligence intoxicated; thus truth and reason will become every day more powerful, and sophistry and artifice be in time certainly detected.

When, therefore, my lords, we are engaged in consulta-

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tions which may affect the liberties of a great part of mankind, and by which our posterity to many ages may be made happy or miserable; when the daily progress of the enemies of justice and of freedom ought to awaken us to vigilance and expedition, and there are yet just hopes that diligence and firmness may preserve us from ruin, let us not waste our time in unnecessary debates, and keep the nations of Europe in suspense by the discussion of a question, the decision of which may be delayed for years, without any manifest inconvenience. Let us not embarrass his majesty by an unusual form of address, at a time when he his negotiating alliances, and forming plans for the rescue of the empire.

Nothing, my lords, is more remote from the real end of addresses, than a representation of them as made only to the minister; for if there be any commerce between a prince and his subjects, in which he is the immediate agent, if his personal dignity be interested in any act of government, I think it is not to be denied, that in receiving the addresses of the two houses, he assumes a peculiar and distinct character, which cannot be confounded with his council or ministry.

The duke of ARGYLE rose again, and spoke to this effect:—My lords, if there was now any contest amongst us for superiority of regard to his majesty, of zeal for his honour, or reverence of his person, I should not doubt of proving that no lord in this house can boast of more ardour, fidelity, or respect than myself; and if the chief question now amongst us related to the terms in which he deserves to be addressed by us, I should be unwilling that any man should propose language more submissive and reverend, or more forcible and comprehensive than myself.

But addresses, however they may for present purposes be represented as regarding the personal character of the king, are in reality nothing more than replies to a speech composed by the minister, whose measures, if we should appear to commend, our panegyrick may, in some future proceeding, be cited against us. Every address, therefore, ought to be considered as a publick record, and to be drawn up, to inform the nation, not to mislead our sovereign.

The address now proposed, is, indeed, equally indefen-

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sible to whomsoever it may be supposed to relate. If it respects the people, it can only drive them to despair; if it be confined to the sovereign, our advice, not our panegyrick, is now required, and Europe is to be preserved from ruin, not by our eloquence, but our sincerity. Respect to his majesty, my lords, will be best shown by preserving his influence in other nations, and his authority in his own empire. This can only be done by showing him how the one has been impaired, and how the other may be in time endangered.

By addresses like this which is now proposed, my lords, has his majesty been betrayed into an inadvertent appro bation of measures pernicious to the nation, and dishonourable to himself, and will now be kept ignorant of the despicable conduct of the war, the treacherous connivance at the descent of the Spaniards upon the dominions of the queen of Hungary, and the contempt with which every nation of the continent has heard of the neutrality lately concluded. By addresses like this, my lords, have the rights of the nation been silently given up, and the invaders of liberty, and violators of our laws, preserved from prosecution; by such addresses have our monarchs been ruined at one time, and our country enslaved at another.

Lord HARRINGTON spoke next, in the following manner:—My lords, it is necessary to explain that treaty of neutrality which has been mentioned by some lords as an act to the last degree shameful, an act by which the nation has been dishonoured, and the general liberties of Europe have been betrayed; a representation so distant from the truth, that it can only be imputed to want of information.

This treaty of neutrality, my lords, is so far from being reproachful to this nation, that it has no relation to it, being made by his majesty not in the character of emperour of Britain, but elector of Hanover, nor is any thing stipulated by it but security of the dominions of Hanover, from the invasion of the French for a single year.

What part of this transaction, my lords, can be supposed to fall under the cognizance of this assembly? Or with what propriety can it be mentioned in our debates, or pro-

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duce an argument on either side? That the dominions of Britain and Hanover are distinct, and independent on each other, has often been asserted, and asserted with truth; and I hope those who so studiously separate their interest on all other occasions, will not now unite them only to reflect maliciously on the conduct of his majesty.

I do not, indeed, charge any lord with a design so malignant and unjust; having already asserted it as my opinion, that these reproaches were produced only by ignorance of the true state of the affair, but cannot with equal readiness allow that ignorance to be wholly blameless.

It is necessary, my lords, in common life, to every man who would avoid contempt and ridicule, to refrain from speaking, at least from speaking with confidence, on subjects with which he has not made himself sufficiently acquainted. This caution, my lords, is more necessary when his discourse tends to the accusation or reproach of another, because he can then only escape contempt himself by bringing it, perhaps unjustly, on him whom he condemns. It is more necessary still, to him who speaks in the publick council of the nation, and who may, by false reflections, injure the publick interest; and is yet more indispensably required in him who assumes the province of examining the conduct of his sovereign.

Lord ISLAY spoke in substance as follows:—My lords, it appears that all those who have spoke on either side of the present question, however they may generally differ in their opinions, agree at least in one assertion, that the time which is spent in this debate might be far more usefully employed, and that we, in some degree, desert the great cause of liberty, by giving way to trifling altercations.

This, indeed, is an argument of equal force for a concession on either side; but, as in affairs of such importance, no man ought to act in a manner contrary to the convictions of his own reason, it cannot be expected that we should be unanimous in our opinions, or that the dispute should be determined otherwise than by the vote.

I have, indeed, heard no arguments against the motion, which require long consideration; for little of what has

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been urged, has, in my opinion, been very nearly connected with the question before us, which is not whether the ministers have pursued or neglected the interest of the nation, whether the laws have been violated or observed, the war timorously or magnanimously conducted, or our negotiations managed with dexterity or weakness, but whether we shall offer to his majesty the address proposed.

In this address, my lords, it has never yet been proved that any assertions are contained either false or uncertain in themselves, or contrary to the dignity of this assembly; that any act of cowardice or treachery, any crime, or any errour, will be secured by it from detection and from punishment.

That this, my lords, may appear more plainly, I move that the motion may be read; nor do I doubt but that the question will, by a closer examination, be speedily decided.

[The motion being again read, in order to put the question,]

Lord BATHURST spoke to the effect following:—My lords, I know not why the noble lord should expect, that by reading the motion, a more speedy determination of the question would be produced; for if the repeated consideration of it operates upon the minds of the lords that have opposed it, in the same manner as upon mine, it will only confirm their opinion, and strengthen their resolution.

We are required, my lords, to join in an address of thanks to his majesty for his endeavours to *maintain* the balance of power; in an address, that implies a falsehood open and indisputable, and which will, therefore, only make us contemptible to our fellow-subjects, our allies, and our enemies.

What is meant, my lords, by the balance of power, but such a distribution of dominion, as may keep the sovereign powers in mutual dread of each other, and, by consequence, preserve peace; such an equality of strength between one prince, or one confederacy and another, that the hazard of war shall be nearly equal on each side? But which of your lordships will affirm, that this is now the state of Europe?

It is evident, my lords, that the French are far from

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imagining that there is now any power which can be put in the balance against their own, and therefore distribute kingdoms by caprice, and exalt emperours upon their own terms.

It is evident, that the continuance of the balance of power is not now to be perceived by its natural consequences, tranquillity and liberty; the whole continent is now in confusion, laid waste by the ravages of armies, subject to one sovereign to-day, and to-morrow to another: there is scarcely any place where the calamities of war are not felt or expected, and where property, by consequence, is not uncertain, and life itself in continual danger.

One happy corner of the world, indeed, is to be found, my lords, secured from rapine and massacre, for one year at least, by a well-timed neutrality, of which, on what terms it was obtained, I would gladly hear, and whether it was purchased at the expense of the honour of Britain, though the advantages of it are confined to Hanover.

But as I am not of opinion, my lords, that the balance of power is preserved by the security of Hanover; or that those territories, however important, will be able to furnish forces equivalent to the power of France, I cannot agree to promise, in an address of this house, to assist his majesty in *maintaining* the balance of power, though I shall cheerfully give my concurrence in every just and vigorous effort to *restore* it.

But, as it may be urged, that any direct expressions of discontent may be too wide a deviation from the common forms, which for a long time have admitted nothing but submission and adulation, I shall only venture to propose that we may, at least, contract our address, that if we do not in plain language declare all our sentiments, we may, however, affirm nothing that we do not think; and I am confident, that all the praises which can be justly bestowed on the late measures, may be comprised in a very few words.

It has been insinuated, that this change of our style may, perhaps, surprise his majesty, and raise in him some suspicions of discontent and disapprobation; that it may incline him to believe his measures, either not understood by us, or not applauded, and divert him from his present

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schemes, by the necessity of an inquiry into the reasons of our dislike.

And for what other purpose, my lords, should such a change of our style be proposed? Why should we deny on this occasion the encomiastick language which has been of late so profusely bestowed, but to show that we think this time too dangerous for flattery, and the measures now pursued, such as none but the most abject flatterers can commend?

I should hope, that if it be asked by his majesty to what cause it is to be imputed, that the address of this house is so much contracted, there would be found some amongst us honest enough to answer, that all which can be said with truth is contained in it, and that flattery and falsehood were not consistent with the dignity of the lords of Britain.

I hope, my lords, some one amongst us would explain to his majesty the decency as well as the integrity of our conduct, and inform him that we have hinted our discontent in the most respectful manner; and where there was sufficient room for the loudest censure, have satisfied ourselves with modest silence, with a mere negation of applause.

Should we, my lords, in opposition to the complaints of our countrymen, to the representations of our allies, and all the conviction which our reason can admit, or our senses produce, continue to act this farce of approbation, what can his majesty conceive, but that those measures which we applaud, ought to be prosecuted as the most effectual and safe? And what consequence but total ruin can arise from the prosecution of measures, by which we are already reduced to penury and contempt?

Lord CHOLMONDELEY spoke next to the following purpose:—My lords, it is never without grief and wonder that I hear any suspicion insinuated of injustice or impropriety in his majesty's measures, of whose wisdom and goodness I have so much knowledge, as to affirm, with the utmost confidence, that he is better acquainted than any lord in this assembly with the present state of Europe; so that he is more able to judge by what methods tranquillity may be reestablished; and that he pursues the best me-

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thods with the utmost purity of intention, and the most incessant diligence and application.

That the justest intentions may be sometimes defeated, and the wisest endeavours fail of success, I shall readily grant; but it will not follow, that we ought not to acknowledge that wisdom and integrity which is exerted in the prosecution of our interest, or that we ought not to be grateful for the benefits which were sincerely intended, though not actually received.

The wisdom of his majesty's counsels, my lords, is not sufficiently admired, because the difficulties which he has to encounter are not known, or not observed. Upon his majesty, my lords, lies the task of teaching the powers of the continent to prefer their real to their seeming interest, and to disregard, for the sake of distant happiness, immediate acquisitions and certain advantages. His majesty is endeavouring to unite in the support of the Pragmatick sanction those powers whose dominions will be enlarged by the violation of it, and whom France bribes to her interest with the spoils of Austria; and who can wonder that success is not easy in attempts like this?

In such measures we ought, doubtless, to endeavour to animate his majesty, by an address, at least not less expressive of duty and respect than those which he has been accustomed to receive; and, therefore, I shall concur with the noble lords who made and supported the motion.

[The question, on a division, passed in the affirmative. Content, 89. Not Content, 43.]

END OF VOL. I.

TALBOYS AND WHEELER.

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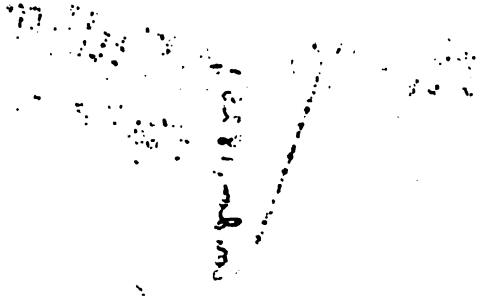

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